



Citizen Review Board
City of Key West Florida
Executive Director's Memo

TO: Board Members

FROM: Stephen Muffler, Esquire

DATE: 3/24/09

RE: Omar Brown CRB Case #07-001
CRB Activity/Report

This complaint was originally filed by Mr. Omar Brown on March 7, 2007. This file has before the Board for several meetings and deferred for about 23 months. The only pending allegation is "untruthfulness" against Sgt. Pablo Rodriguez. Specifically, the allegation is that Sgt. Rodriguez was untruthful when he executed an affidavit in support of a search warrant by claiming he, Sgt. Rodriguez, had "arrested" Mr. Brown in the past. Mr. Brown contends that Sgt. Rodriguez never "arrested" him in the past. Sgt. Rodriguez has declined to voluntarily participate in this investigation. The KWPD and Police Union take contrary positions if there has ever been an investigation into this matter. The CRB Decided to subpoena the records of the KWPD to clarify if an investigation into this matter was ever had and the results. The CRB also decided to subpoena the Sgt. Pablo Rodriguez to explain his written statement in the affidavit that he had arrested Mr. Brown before.

Research was conducted to document the past ten (10) years of Mr. Omar's Arrests and Court Cases in Monroe County. These court documents were researched and Sgt. Rodriguez's name did not appear on the filed arresting documents/police reports nor in the state discovery in any of these cases.

A deposition in the underlying criminal case was taken of Sgt. Rodriguez on November 24, 2009 and was filed with the clerk of courts on February 25, 2009. As to addressing the issue of the prior "arrest" of Mr. Omar Brown, Sgt. Rodriguez reveals the following information and line of questions:

p. 64-65

Q. Your prior arrests of Omar Brown were drug cases, I'm assuming?

A. Yeah, drug investigations. I am not – and they weren't, you know I didn't personally arrest him. I was just involved with the street crimes, did things and other people did, you know, and you know I don't – I mean, have I seen him in cuffs? You know that's how I know him. You know I've stopped him a hundred times, you know. And I've talked to him a hundreds times, but he just sits there and serve dope and do his thing. But he was always very ---

p. 68

Q. You didn't have a previous—you said you had never previously actually arrested Omar. You were there when---

A. I have been involved in his arrest, yes, but I don't didn't. I mean, I was there while we were doing the arrest or the stop or the thing, but I don't clearly remember. I can't tell you. Its been eight years so whether or not I ever wrote an Affidavit, I'd have to go back and look.

On Pages 34 & 40 Sgt. Rodriguez explains that he would do “field interviews” or fill out “field interview” cards relative to the defendants in the criminal case (Mr. Brown and Co-defendant.). On page 50 Sgt. Rodriguez was asked about the allegations generally in the search warrant and he explains:

A. You know there might have been information that I didn't feel was relevant at the time. So I tried to put what I believed to be the most important stuff to achieve a Search Warrant

On page 71. Sgt. Rodriguez explains he has been a KWPD officer since September 1999.

With the above information from the deposition, cross referencing Mr. Browns Court Cases and Arrest records since September 1999 shows that there were 8 court cases/arrests which Sgt. Rodriguez may have been involved with. I have requested and received from the KWPD Sgt. Rodriguez's time sheets to document his work schedule during the time periods Omar Brown was arrested.

Attached for your review:

1. Affidavit in Question;
2. CRB Letter to Sgt. Pablo Rodriguez to voluntarily cooperate with CRB investigation (w/o encl.);
3. Police Union Response Letter Declining voluntary participation and claiming full investigation on matter was completed by KWPD;
4. Chief Lee's Letter relative to KWPD standard procedures as to investigating complaints when an underlying criminal matter is involved;
5. Deposition of Sgt. Pablo Rodriguez dated November 24, 2009;
6. List of Clerk of Courts Criminal Cases of Omar Brown;
7. List of Omar Brown's Prior Criminal Arrests from Monroe County Sheriff's Office (only includes arrests since 2001);
8. Print out of Omar Brown's current criminal case docket;
9. KWPD's Response to the CRB Public Records Request for Sgt. Rodriguez's time sheets;
10. KWPD Directive No. 01.05 (Alternatives to Arrest);
11. Recent Letter from Omar Brown;
12. Documents produced by the KWPD regarding their review of Omar Brown's original complaint (and copy of the CRB Subpoena for said documents but never served b/c KWPD promptly cooperated w/o the need for formal service of process); and
13. Copy of the Subpoena served and/or to be served upon Sgt. Rodriguez & prior Notice letter to Sgt. Rodriguez.

The Board has been orally briefed on many of the items above during its March 23, 2009 meeting. Any further developments and/or documents/evaluations concerning this matter will be brought to the Board's attention prior to the April 27, 2009 hearing date.

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AFFIDAVIT AND APPLICATION FOR SEARCH WARRANT

IN THE SIXTEENTH JUDICIAL CIRCUIT, IN AND FOR
MONROE COUNTY, FLORIDA

THE STATE OF FLORIDA,
COUNTY OF MONROE

BEFORE ME, HONORABLE JUDGE WAYNE MILLER

in and for MONROE COUNTY, personally appeared this day Detective Pablo Rodriguez who, being by me first duly sworn, deposes and says that he believes and has good reason to believe that a certain premises located in MONROE COUNTY, Florida, described as follows, to-wit:

Premises Location: 3636 Duck Avenue, City of Key West, County of Monroe, State of Florida

Premises Description: The structure is a concrete block structure, one (1) story, duplex building, located on the south side of the 3600 block of Duck Avenue. It is the third structure to the west of the intersection of 19th and Duck Avenue. The structure is painted yellow with a tin roof. It has white trimming around the windows and front door. The premises is located on the south-east corner of the structure. There is a brown wooden fence surrounding the structure. The premises has a white door which opens out with a door handle and deadbolt lock located on the right side of the door. There is a white awning located above the front door affixed to the wall.

Property Description: Head covers, firearms, jewelry, clothing, trace evidence.

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.

The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime.

Affiant's reasons for the belief that "the property" above mentioned is being concealed and stored at "the premises" above-described and the facts establishing the grounds for this affidavit and the probable cause for believing that such facts exist are as follows:

At approximately noon on September 2, 2006, an armed robbery occurred at Beachcomber Jewelers, 2786 N. Roosevelt Blvd., Key West, Monroe County, Florida. Two employees were on duty at the time. The employees reported that two males—at least one of whom was black—wearing dark clothing entered the store. One assailant was described as a black male, approximately 5'8" tall, with an average build, wearing a dark-colored knit hat with a short visor and blue gloves that the employees described as "textured." This assailant had his face partially covered by the collar of a dark turtleneck-type shirt, which he had pulled up to conceal his face. This assailant pointed what appeared to be a dark-colored handgun at the employees and ordered them to lie on the floor. He then stood between the prone employees and pressed the gun into their backs while the other assailant began smashing the glass jewelry cases and removing the jewelry inside. The assailant who collected the jewelry wore a dark bandana to cover his face. Once the jewelry (estimated to be worth at least \$50,000) was collected, the assailants fled out the back door.

Rebecca Kasper, an employee of an adjacent store, heard loud noises inside Beachcomber Jewelers and came to investigate. When Kasper opened the front door of the jewelry store, she saw a person exiting through the back door. Kasper described this person as 5'8" tall, with a thin build, wearing dark clothing and a bandana covering his face.

Eveling Darce, who had been inside Beachcomber Jewelers that morning washing the windows, reported that between 10:30 and 11:00 a.m. she had seen a white four-door with some kind of dark material covering the passenger-side windows make two slow passes by the business.

Shortly after noon, the Key West Police Department received a call from Maria Terrell, who reported that she had just seen her ex-husband Omar Brown driving

her car (a white four-door Dodge Stratus) in the company of three other black males. Terrell reported Brown did not have permission to be in possession of her car, and she had no idea why he was driving it. Terrell reported the windows had been covered with some material that darkened them and made it difficult to see inside. When Terrell yelled at the occupants, they ducked down, covered their faces, and drove away. Terrell reported the car stolen.

Detective Sergeant Barrios heard the stolen vehicle call over the radio. He knows Omar Brown from prior contacts, and knows where he lives. Detective Sergeant Barrios, Sergeant Frank Zamora, and Officer Bradley Lariz responded to Brown's residence at 3636 Duck Ave., Key West, Monroe County, Florida. The officers knocked at the door, which was eventually answered by Dominicke Terrell (Maria Terrell's son), and asked if Brown was there. Terrell said he didn't know where Brown was. Then Kiefa Edgerton (Brown's girlfriend) appeared at the door and told the officers that Brown wasn't inside. On a small table near the door, officers noticed a pair of camouflage-colored gardening gloves and a hammer nearby.

The officers went to the front of the house to confer. When they returned to the door, they noticed the gloves had disappeared. The officers knocked at the door again, but Edgerton refused to answer. Minutes later, Brown appeared at a window and asked officers what was going on. Officers told him they were there to investigate a reported vehicle theft. Brown admitted driving the car, but denied stealing it. Brown appeared to be extremely agitated and nervous.

Officers asked Brown and Edgerton if they would allow a search of the premises. They refused. They also denied that anyone else was present inside.

After processing the scene at Beachcomber Jewelers, Crime Scene Investigator Donald Guevremont responded to 3636 Duck Ave. Investigator Guevremont examined the hammer found near the door. The wooden handle of the hammer had fresh gouge marks that contained small fragments of glass. The handle also had red paint transfer that was consistent with the red frames of the jewelry cases damaged during the robbery. The fresh gouge marks, glass fragments, and paint transfer suggest the hammer was used to smash the glass jewelry cases at Beachcomber Jewelers. Investigator Guevremont also inspected the head of the hammer. The head was slightly rusted and had striations in it from prior use. Investigator Guevremont compared these striations to the marks left in the remains of the smashed jewelry cases at Beachcomber Jewelers. The striations in the head of the hammer appeared to be consistent with these marks. Furthermore, the jewelry cases had stain marks that appeared to be consistent with the rust found on the head of the hammer.

A red Honda coupe was parked in front of 3636 Duck Ave. It is registered to Kiefa Edgerton. Officer Keith Rendueles directed his canine "Daxo," which has been extensively trained to detect the presence of controlled substances, walk

around the vehicle. Daxo alerted to the passenger-side door of the vehicle, suggesting controlled substances were inside. A subsequent search of the vehicle revealed a small quantity of marijuana on the passenger-side floorboard and small glass fragments in the rear passenger-side armrest.

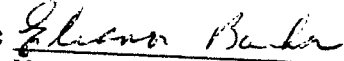
Your affiant has known Omar Brown for at least six years and has arrested him in the past. Brown matches the general physical description given by the employees of Beachcomber Jewelers: he is a black male, approximately 5'8" tall, and has a medium build. Your affiant is familiar with how Omar Brown dresses: Brown often wears turtleneck sweaters and a distinctive knit cap with a short visor. This clothing is consistent with what one assailant in the robbery was reportedly wearing.

Your affiant has been a Key West Police Officer for over six years. Your affiant has been a detective in the Criminal investigation Unit for two years. Your affiant has taken a variety of courses in criminal investigations.

Wherefore, your affiant makes this affidavit and prays the issuance of a search warrant in due form of law for the search of the above described premises, the curtilage thereof as well as any person present or arriving, known or suspected to be involved in an armed robbery and grand theft, and any vehicle operated by any such person, heretofore described and for the seizure and safe keeping of the property, subject to the order of this honorable court of such court having jurisdiction over the offense, by the duly constituted officer of the law.


Detective Pablo Rodriguez, Affiant

The foregoing instrument was acknowledge before me this ____ day of ____, 2006, by _____, who is personally known to me and who did take an oath.

Notary Public 
Notary Public Name ELEANOR BARKER
My commission expires: _____



Eleanor Barker
MY COMMISSION # DD241639 EXPIRES
November 25, 2007
BONDED THRU TROY FAJN INSURANCE, INC.

Sworn to and subscribed before me this 2 day of Sept, 2006

Judge in and for MONROE COUNTY, Florida

SEARCH WARRANT

IN THE SIXTEENTH JUDICIAL CIRCUIT COURT IN AND FOR
MONROE COUNTY FLORIDA

THE STATE OF FLORIDA COUNTY OF MONROE IN THE NAME OF THE
STATE OF FLORIDA, TO ALL AND SINGULAR:

The Sheriff of MONROE COUNTY, Florida, and his lawful Deputies, All Police Officers in
MONROE COUNTY, Florida, The Commissioner of the Florida Department of Law Enforcement
or any of his Duly Constituted Agents, and State Attorney's Investigators, 16th Judicial Circuit,
State of Florida.

WHEREAS, complaint on oath and in writing, supported by affidavit of a credible witness, or
witnesses, has this day been made before the undersigned Jesse in and for
MONROE COUNTY, Florida, and,

WHEREAS, said facts made known to me and considered by me have caused me to certify and
find that the facts set forth in said affidavit show and constitute probable cause for the issuance of
this warrant and the Court being satisfied of the existence of said grounds set forth in the affidavit
and that the laws of the State of Florida have been and are being violated on or in the premises
known and described as follows, to-wit:

Premises Location: 3636 Duck Avenue, City of Key West, County of
Monroe, State of Florida

Premises Description: The structure is a concrete block structure, one (1) story, duplex
building, located on the south side of the 3600 block of Duck
Avenue. It is the third structure to the west of the intersection of
19th and Duck Avenue. The structure is painted yellow with a tin
roof. It has white trimming around the windows and front door. The
premises is located on the south-east corner of the structure.
There is a brown wooden fence surrounding the structure. The
premises has a white door which opens out with a door handle and
deadbolt lock located on the right side of the door. There is a white
awning located above the front door affixed to the wall.

Property Description: Head covers, firearms, jewelry, clothing, trace evidence.

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.


The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws
of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida
Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed
robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime. And as I
am satisfied that there is probable cause to believe that "the premises" is being used as aforesaid
and that "the property" above-described, is being concealed and stored at "the premises" above
described, I expressly find probable cause for the issuance of this search warrant.

You are hereby commanded to enter and search forthwith "the premises" above-described, and all spaces therein, and the curtilage thereof, and vehicles and/or temporary structures within the curtilage, and all persons found on "the premises" for "the property" above-described, serving this warrant and making the search in the daytime or nighttime, as the exigencies may demand or require, or on Sunday, with the proper and necessary assistance, and if "the property" above-described be found there, to seize it and to arrest all persons in the unlawful possession thereof, leaving a copy of this warrant and a receipt for "the property" taken and prepare a written inventory of the property seized and return this warrant and bring "the property" and all persons arrested before a court having competent jurisdiction of the offense within ten (10) days from the issuance as required by the law.

☒ Knock and Announce

☐ No Knock

WITNESS my hand and seal this **2nd** day of September, A.D., **2006**


JUDGE in and for MONROE County, Florida

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CITY OF KEY WEST

Citizen Review Board

P.O. Box 1946

Key West, FL 33041

Ph: (305) 809-3887

Fax: (305) 293-9827

January 15, 2009

VIA INTER-CITY OFFICE HAND DELIVERY

Sgt. Pabolo Rodriguez
Key West Police Department
1604 North Roosevelt Blvd.
Key West, FL 33040

Complaint File: **CRB #07-001**
Complainant: Omar Brown
Notice of CRB Investigation

Dear Sgt. Rodriguez:

The Citizen Review Board (CRB) is an independent board with authority to review and/or investigate complaints involving Key West police officers and forward findings and/or recommendations to City management, Chief of Police, State Attorney, other state and federal law enforcement agencies and/or grand juries. You are the respondent in the above referenced CRB file.

This particular file was forwarded to the Key West Police Department (KWPD) Internal Affairs Division (IA) for investigation in 2007. It was summarily returned to the CRB without an investigation since Mr. Omar Brown is facing a criminal trial relative to facts alleged and outlined in the Mr. Brown's complaint. IA at the CRB meeting on January 12, 2009, continued to refuse to proceed with an investigation into this matter. Mr. Brown insists that the CRB move forward to address this file regardless of his pending criminal trial.

The CRB, prior to commencing its own investigation pursuant to section 1.07(VII)(b)(6)(iii) of the City of Key West Charter, would like to extend an invitation to you to voluntarily cooperate in this matter and clear up a simple issue as further explained herein. There is no obligation whatsoever that you respond or voluntarily cooperate at this time, but such cooperation would show good faith and also eliminate the costs incurred by the City in commencing a formal investigation.

Enclosed please find Mr. Omar Brown's complaint and supplemental writings stating numerous allegations of mis-conduct against yourself. The Board passed on all the issues alleged as beyond the Board's authority to review, except the allegation of untruthfulness. Specifically, Mr. Omar Brown alleges you misrepresented to the court, under oath, that you arrested him in the past. Also enclosed please find a copy of the subject affidavit apparently executed by you. Finally, enclosed please find a print out of public records from the Monroe County Sheriff's Office and the Clerk of the Court for Monroe County itemizing Mr. Omar Brown's prior adult arrests and/or court actions.

It would be helpful to our office if you could simply identify which one of these arrests you were referencing in your affidavit when you stated to the court that you had previously arrested Mr. Brown. If the case, arrest or file is not on this enclosed list, could you please supply our office with information as to what case you were referencing. I can then expeditiously research and confirm this fact and bring this to the Board for final resolution. The CRB meets next on this matter on February 9, 2009, and you or your representative are invited to attend at the Old City Hall at 6:00 p.m. located at 510 Greene Street, Key West Florida, 33040. I will inform the Board of your response, or non-response to this offer at that time.

Further, please note section 1.07 of the City Charter which reads as follows:

VIII. Procedures related to city employees and witnesses.

(a) When a City of Key West employee, including police officers, appears before the CRB in response to a request or subpoena, such employee shall be formally advised prior to the commencement of testimony that if the employee has a good-faith belief that the testimony would tend to be self-incriminating, and if, in reliance upon that good-faith belief, the employee declines to answer any question, that employee's decision not to provide testimony will not subject him or her to any adverse employment consequences. Any employee who, after receiving such advice, decides to testify or provide evidence, must sign a statement acknowledging that the employee understands the advice and is testifying or providing evidence voluntarily and knowingly.

Please feel free to forward this matter and this correspondence to your legal representative or union official if you so desire. We hope that your voluntary cooperation in this matter will quickly bring this matter to a fair and full conclusion.

Respectfully submitted,


Stephen C. Muffler, Esquire
Executive Director
Attorney at Law

Encl.

cc: Jim Scholl, City Manager
Donald Lee, Chief of Police
Mr. Omar Brown
File

3



DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.

TELECOPIES TRANSMITTAL COVER SHEET

Telephone: (305) 593-0044
FAX: (305) 436-0142

TO: Stephen C. Muffler, Esq.
FAX #: 305-293-9827
FROM: Andrew M. Axelrad
General Counsel
DATE: February 9, 2009

TOTAL NUMBER OF PAGES INCLUDING COVER SHEETS: 2

COMMENTS:

WARNING CONFIDENTIALITY NOTICE: This cover sheet and the materials enclosed with this transmission are the private property of the sender and the materials are privileged communications intended solely for the recipient, you are hereby notified that any review, disclosure, copying, distribution, or the taking of any other action in reliance on the contents of this transmission is strictly prohibited, and may result in legal liability on your part. If you have received this transmission in error, please notify us immediately at the above telephone number and arrange for return of this transmission to us.

IF YOU DO NOT RECEIVE ALL PAGES AS INDICATED, PLEASE CALL:
305-593-0044 ext. 204, Melissa Tripodi.



THE VOICE OF LAW ENFORCEMENT

DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.

Via Facsimile (305) 293-9827

February 9, 2009

Stephen C. Muffler, Esq.
Executive Director
Citizens Review Board
P.O. Box 1946
Key West, Florida 33041

Re: Officer Pablo Rodriguez

Dear Mr. Muffler:

The undersigned represents Officer Rodriguez in CRB File #07-001 (Omar Brown). Please be advised that this complaint has already been investigated by the Key West Police Department, and was determined to be wholly without merit. Officer Rodriguez has cooperated fully with his employer with regard to their investigation, in accordance with all applicable laws.

Officer Rodriguez will be following my advice and respectfully not appearing before the Key West CRB. However, to the extent relevant for your purposes, Officer Rodriguez steadfastly denies the baseless and spurious allegation against him, that of untruthfulness.

If you request anything further with regard to this case, please do not hesitate to contact me.

Sincerely,

Andrew M. Axelrad
General Counsel

cc: Pablo Rodriguez, Police Officer
Donald Lee, Police Chief
David Smith, Police Lieutenant

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Donald J. Lee, Jr.

Chief of Police



Key West

POLICE DEPARTMENT

January 30, 2009

Mr. Bryan Green, Chairman
Citizens Review Board
PO Box 1946
Key West, FL 33041

Chairman Green:

This letter is in reference to CRB 07-001, Omar Brown. It is the Key West Police Departments policy not to conduct internal affairs investigations involving complainants who have open and active criminal cases. Our policy is in place to protect the complainant from potentially jeopardizing his or her criminal case. If we were to investigate this particular case it would set a precedent that would potentially force us to investigate other cases with open and active criminal charges. I feel it is not in the complainants or the department's best interest to conduct internal affairs investigations while their criminal cases are still pending.

When Mr. Brown's criminal case is resolved we will then conduct an inquiry into his allegations to assess if the complaint has merit and warrants an internal affairs investigation.

Respectfully,

A handwritten signature in cursive script, appearing to read "D. Lee Jr.", written in dark ink.

Donald J. Lee Jr.
Chief of Police

Cc: Mr. Scholl



RESPECT - INTEGRITY - FAIRNESS

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 808-1111
www.keywestcity.com



5

CLERK

ORIGINAL

1

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT, IN AND FOR
MONROE COUNTY, FLORIDA

CASE NO. 2006-CF-1071-K

STATE OF FLORIDA, :
Plaintiff, :
v. :
OMAR RICARDO BROWN and :
LAQUENTON CADE, :
Co-Defendants. :

Deposition of PABLO RODRIGUEZ, taken on behalf of
Defendant herein, pursuant to Notice of Taking
Deposition, on the 24th day of November 2008, at the
Public Defender's Office, 801 Eisenhower Drive, Key
West, Monroe County, Florida, as transcribed by Susan M.
Hyde, Audio Transcriptionist and Notary Public, State of
Florida at Large.

FILED FOR RECORD
2009 FEB 25 PM 3:52
CLERK OF COURT
MONROE COUNTY, FL

A P P E A R A N C E S:

MANUEL MADRUGA, ESQUIRE
State Attorney's Office
530 Whitehead Street
Key West, Florida 33040
On Behalf of State of Florida

JOHN ROTOLO, ESQUIRE
Public Defender's Office
801 Eisenhower Drive
Key West, Florida 33040
On Behalf of Defendant

ALSO PRESENT:
RICK WUNSCH, ESQUIRE
On Behalf of Co-Defendant

- - -

I N D E X

Deponent

DIRECT EXAMINATION

By Mr. Wunsch.Page 3

CROSS EXAMINATION

By Mr. Rotolo.Page 31

- - -

1 PABLO RODRIGUEZ,
2 having been produced and first duly sworn as a witness
3 on behalf of Defendant, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. WUNSCH:

6 Q I am Rick Wunsch on behalf of Laquenton Cade. What
7 was your - -

8 MR. ROTOLO: Will you ask him first about being
9 sworn in?

10 MR. WUNSCH: Were you sworn in earlier?

11 A Yes.

12 Q Okay, and what was your role - - was this when you
13 were a Sergeant, Detective?

14 A I was a Sergeant at the time. I mean Detective at
15 the time.

16 Q Okay, and how - - I assume you prepared the
17 affidavit for the search warrant. Is that correct?

18 A Correct.

19 Q And what - - how did that work? I mean was it sort
20 of put together by talking to a bunch of different
21 people or did you do some personal investigating? How
22 did that go?

23 A Most of it was put together by putting - - by what
24 other officers told me.

25

1 Q Okay. And were you working a day shift as a
2 Detective that day?

3 A Yes.

4 Q And how did this - - how did you come to be
5 working on this? Did - - I mean did they, someone tell
6 you hey, there's been a robbery or what happened?

7 A Yeah, I mean it came over the radio. We all knew
8 about it. We work together as a team on this, cases
9 like this. This was like one of a string of robberies
10 that we would having at the time. I don't know if you
11 remember that. There was a few of them going on. I was
12 - - Omar Brown was my CI.

13 Q He was a CI in the robbery?

14 A Well he wasn't - - let me put that right. He
15 wasn't like a documented CI, but he had been making
16 phone calls or contacting me and talking with me during
17 the robberies and letting me know who the people that
18 were doing them and all that.

19 Q What - - who - -

20 A So I was pretty much involved in this case.

21 Q Got ya. Well, when, where were you when the call
22 came out that there had been a robbery at Beachcombers?
23 Were you at the Station?

24 A I believe I was at the Station, yeah.

25 Q And was it - - did you like kind of hang tight at

1 the Station to let the Patrol Officers go there and deal
2 with initial witness contact, etc. What did you do?
3 Did you respond to the area?

4 A No, I did not respond to the area. Other people
5 had gone to the area, and I just held the fort, you
6 know.

7 Q Okay. And was there some radio traffic that you
8 monitored back and forth? Or how - -

9 A Radio, phone. At one point later on I drove out to
10 and spoke with the Officers. The Officers kept coming
11 to the Station, and I spoke with the main people that
12 were involved. I also had Mark Olsen there. He worked
13 at the State Attorney's Office at the time.

14 Q When you said there, was he at the Station as well?
15

16 A At the Station there.

17 Q Did he come there expressly for the purpose of - -

18 A Actually he went there expressly to work out, and I
19 called him up from the gym to help us out.

20 Q Okay, so he was actually on scene for a different
21 reason but came up to sort of advise you as to putting
22 together a warrant?

23 A Correct.

24 Q And do you recall about what time the first call
25 came in?

1 A I can tell you about what time it was dispatched.
2 Think it was around noon on 9/2 looks like.

3 Q And - -

4 A I think. According to this paperwork. I have to
5 look in the - -

6 Q So - -

7 A Hang on a second.

8 Q When you got the call, did you immediately think of
9 Omar Brown?

10 A Uh - -

11 Q I mean not when you - -

12 A No, actually Omar Brown wasn't - - he told me he
13 wasn't involved. Told me he knew the people that were
14 doing this.

15 Q And these - -

16 A And there was Laquenton Cade.

17 Q You go ahead John.

18 MR. ROTOLO: Just one question here. What other
19 robberies are we talking about?

20 A We had one at the - - I don't know if it's called -
21 - Bourbon Street. Remember that one? It was an armed
22 robbery, and then we had one - - remember that jewelry
23 store where the old man that recently passed away?
24

25 Q Yes.

1 A It was all on Duval Street. That 800 block area.
2 You know it was obvious when you looked at the video and
3 the video that we had and everything else that we had
4 going on, there was more than one person involved in
5 doing these robberies.

6 Q Uh huh.

7 A Because there were people waiting, waiting for
8 phone calls. You could see them, you know, getting a
9 phone call and then they would go in and that sort of
10 thing. So it was orchestrated, and there was a couple
11 of people involved.

12 Q Okay. We'll go back to that later. Rick, why
13 don't you go on. The events of the day of the
14 Beachcomber robbery. And then I guess it's - - some of
15 this is new to me that Omar and you were in contact
16 prior to this. I'm going to talk to you about it with
17 you after. Go ahead, Rick.

18 MR. WUNSCH: Did - - before we get back to the
19 being it happened, so the name of Laquenton Cade had
20 been given to you by Omar Brown at some point prior to
21 the events of September 2?

22 A Correct.

23 Q And so were you already trying to develop him as a
24 potential suspect? (Unintelligible).

25 A No, we were just keeping an eye on him. As far as

1 I had gone is I was working on one case that I had. I
2 think one of the other Detectives had the - - I think it
3 was Caruso at the time - - had the robbery with the
4 jewelry store. I had the robbery with a gun at the, at
5 Bourbon Street, and I was in the process of getting, you
6 know, video and that sort of thing. But, you know, I -
7 -

8 Q I guess what I'm - - here's where I'm going, when
9 you got the call that Beachcomber had been robbed, did
10 the name of Laquenton Cade pop into your head or Omar
11 Brown for that matter?

12 A Definitely. I mean, you know, the only thing is
13 that the time was sort of different, but you know, they
14 were doing robberies, armed robberies, and those are the
15 people that I thought were doing. I didn't think Omar
16 Brown was in it.

17 Q Was he your CI?

18 A Yeah, and the way he talked to me it's like oh my
19 God, I'm involved with this real bad dude. He said I
20 got this and this going on, so I didn't think he was
21 involved with that.

22 Q And I'll leave some of that for John to ask about,
23 but let me ask you this though before we go, you know,
24 into that. What are the other names that were given to
25 you by Brown?

1 A Laquenton Cade.

2 Q Other than Laquenton?

3 A That's it.

4 Q Okay. Was there an indication that there were
5 other people involved, but he just didn't give you the
6 names or did he say Laquenton was on his own or?

7 A There was - - I believe there was somebody else
8 involved.

9 Q But did Omar give that name to you?

10 A No.

11 Q Okay.

12 A However, these are Miami guys they could bring
13 anybody. You know, a bunch of options you could have
14 with this.

15 Q The other thing is did you ever ascertain where Mr.
16 Cade was residing once you had his name provided to you
17 as part of your investigation?

18 A No, he comes and goes. He's one of these, you
19 know, dope dealers that just comes and goes.

20 Q And so you weren't aware of where he might or might
21 not of been staying?

22 A Not really, no. I know that he would frequent the
23 Bahama Village area. Then he would be seen there. Then
24 you would see him pop up somewhere else. You know he
25 was all over the place. But, you know, they always stay

1 stay with different girlfriends or hotels. You know
2 they jump from El Rancho Hotel to I couldn't tell you.
3 That's just where he was staying. Personally, I didn't
4 know where he was at, where he was staying at. Did
5 other Officers know, I don't know.

6 Q Well, did - - when you were, you know, getting Mr.
7 Wilson up to where you were and talking to other
8 Officers to develop whatever leads might have come in,
9 you're saying that Laquenton Cade's name was definitely
10 in your mind at that point because of - -

11 A Oh, yeah, yeah.

12 Q And so were you able to, I guess, identify an
13 address where he might have been at? At this point.

14 A No, it wasn't, that's not the way we came up with
15 the address.

16 Q Right. So then at some point Officers went to the
17 address which is under the control of Omar Brown and
18 Maria Terrell?

19 A Right.

20 Q How did, to your knowledge, how did that happen?

21 A That was because Maria Terrell had called in that
22 Omar Brown was with some other guys hiding. Right
23 around the same time she called and said, which is kind
24 of funny, that there was like four guys in a car, three
25 or four people in a car, something to that effect. I

1 wrote it in the Warrant. She called in that, you know,
2 the car was being stolen.

3 Q Okay.

4 A And there was, you know, - -

5 Q Now at some point did she call back and say okay,
6 never mind, got the car back or changed her mind?

7 A I don't remember that.

8 Q So you not aware of that?

9 A No.

10 Q Do you know offhand what time the call came from
11 Miss Terrell?

12 A Shortly after noon.

13 Q And so that was after Mr. Cole had been - - it was
14 after the robbery had been discovered and was being
15 investigated, is that correct?

16 A Mm hmm.

17 Q One thing we have to remember is (unintelligible)
18 try to remember to say yes. I do the same thing, try to
19 say yes for the tape, you know the transcript. So the
20 answer is yes, it was after - - the call from Marie came
21 after the call on the robbery, correct?

22 A Mm hmm. She actually reported the car stolen.

23 Q You have to (unintelligible) to say yes.

24 A What's that, I'm sorry?

25 Q You have to say yes.

1 A What was the question again, I'm sorry?

2 Q The question is whether or not the call from Maria
3 Terrell came after you were already investigating the
4 robbery.

5 A Yes.

6 Q But shortly after?

7 A Yes.

8 Q And was it - - did you get a call from somebody
9 that said hey, wait a second, that's Omar Brown and his
10 girlfriend or that's - - how did you put it together to
11 go out to (unintelligible)?

12 A Okay, Sgt. Barrios, Detective Sergeant Barrios,
13 heard the stolen car called over the radio, and he
14 knows, of course he's familiar with Omar Brown as we all
15 are, and he knew where he lived. And they went over to
16 the residence.

17 Q Now did you ever, yourself - - when you say they,
18 you mean Barrios and other Officers went to the
19 residence?

20 A Right.

21 Q Which is on Duck where Terrell and Brown had a
22 residence?

23 A Right.

24 Q Did you ever go there?

25 A Yes.

1 Q At what point did you go there?

2 A After I think we had the Warrant.

3 Q Okay, so you didn't go there prior to the signing
4 of the Warrant? You went there with the Warrant?

5 A Correct.

6 Q And did you - -

7 A Actually I think I might have gone once.

8 Q Did you go - - were you there when the search was,
9 was actually, when the search was carried out?

10 A Yeah, I didn't go in. No, I don't think.

11 Q Did - - do you remember who the initial Officers
12 that went there were? We have Detective Barrios.

13 A Zamora, Bradley Lariz.

14 Q Those are the - - that's the - - are they the drug
15 unit?

16 A Mm hmm.

17 Q Yup?

18 A I don't know if Zamora was working the road or not.
19 I don't remember.

20 Q Was it unusual for Barrios to have gone there if -
21 - on a robbery call or?

22 A No, we all get on the radio, and we all do our
23 stuff.

24 Q Did - - okay, so then you took some information as
25 you were assembling a Warrant. Then you took

1 information from the Officers that responded to the
2 address, correct?

3 A Mm hmm.

4 Q Remember to try to say yes.

5 A Yes, I'm sorry.

6 Q It's okay. And so who would have been, from the
7 residence, now who would have been relaying the
8 information?

9 A Bear and Zamora.

10 Q When you say Bear, you mean Sgt. - -

11 A Sgt. Barrios.

12 Q Right.

13 A And Zamora, correct.

14 Q What did Barrios tell you?

15 A I don't remember exactly what Barrios told me. I
16 don't remember exactly what Zamora told me. I remember
17 I wrote what they told me on the papers.

18 Q Okay, and so although you're - - so you're unable
19 to say specifically who said it, what is it that they
20 told you that you put into the PC application?

21 A Can I read it?

22 Q Well, I'd rather have you read it. I mean it's
23 great if you need to sort of look it over to remember
24 what happened, but I prefer you to just tell me what you
25 remember then just reading from - - we don't need that.

1 that. If you need to look at it to remember what
2 happened.

3 A Okay, they told me that they went to the scene.
4 That they had knocked on the door and Dominic Terrell
5 answered the door. They asked if Brown was there, and
6 Dominic Terrell said that he didn't know where Brown
7 was. Then Keifa Edgerton who was Brown's, Omar Brown's
8 girlfriend, appeared at the door and told the Officers
9 that Brown was not inside.

10 Q Let me stop you for a second. So, at that point
11 did Edgerton - - wait, who was it, who's car was it?

12 A Maria Terrell.

13 Q Terrell's car. And who is Terrell to Brown? Omar
14 Brown.

15 A Stepson. Or his girlfriend's son.
16 (unintelligible).

17 Q Okay, so it's not - - so Keifa Edgerton is Omar
18 Brown's current, at the time, current girlfriend, right?
19

20 A Correct.

21 Q And who was it that reported the white car stolen?

22 A The ex-wife.

23 Q And who's that? Keifa Edgerton?

24 A Maria Terrell.

25 Q Maria Terrell, I'm sorry. Okay, so at some point

1 Terrell withdrew the report. You know anything about
2 that?

3 A No.

4 Q Okay.

5 A I'll tell you what they did is they went and took
6 off of one car and then borrowed another car. Use that
7 car for the robbery, returned it (unintelligible).

8 Q Okay, what makes you think that? I mean if that's
9 what they did.

10 A That was conveyed to me.

11 Q And who conveyed that to you?

12 A The Detectives and Officers that knew about it.

13 Q So where was the white car that belonged to
14 Terrell? Where was that taken from?

15 A I don't know. I can't tell you specifics on that.

16 Q And what's the car, the intermediate car that was
17 not used during the robbery but the one that was
18 supposedly that they took to the car and back from it?
19 What car was that?

20 A There's the girlfriend's car. There was a
21 girlfriend's car that was used and there was a wife's
22 car that was used. I remember that there was a little
23 bit of drama over the fact that this car was seen over
24 there and that sort of thing, you know. Because the
25 wife was saying why is he doing this?

1 Q So the girlfriend thought that he was doing - -

2 A Yeah, - -

3 Q - - hanky-panky with the ex-wife or something?

4 A Yeah, exactly.

5 Q And that would have been Edgerton?

6 A Yeah.

7 Q Edgerton's the current girlfriend?

8 A Girlfriend, right.

9 Q So was that something that was conveyed to you from
10 a different Officer?

11 A No, it was conveyed to an Officer and then conveyed
12 to me.

13 Q Who's that Officer?

14 A I don't remember. I believe - - actually I believe
15 Sgt. Torres told me about this.

16 Q So you think Torres told you that Edgerton was
17 pissed off at Brown because she heard he was over at
18 Terrell's house, is that correct?

19 A Yes.

20 Q Terrell being the ex-wife?

21 A Right.

22 Q Mother of the child in any event?

23 A Right.

24 Q And so you don't know about Terrell phoning the
25 Police and saying you know what, forget it, the car's

1 back, and it wasn't really stolen or anything like that?

2

3 A No, the first time I ever heard that is you saying
4 it right now.

5 Q UM - -

6 MR. ROTOLO: Well Monica Diaz actually has
7 testified that she went to Terrell's house very early in
8 this process, and Terrell told her that she had the car
9 back. Also Terrell said that she had lent Omar the car,
10 but he kept it longer than he was allowed to as opposed
11 to, you know, to the story that apparently you got that
12 it was stolen by him.

13 A Yeah, I don't think that it was stolen. What
14 happened is she let him use it.

15 Q Uh huh.

16 A And I think she got upset over the fact that there
17 was some funky things going on, and there was four guys
18 that she had seen, the four guys in the car - -

19 Q Uh huh.

20 A And I think he had told her, what I remember is
21 that I guess one of the kids was sick or something. He
22 was supposed to go get medication or something, and then
23 she sees all these guys in there, and she knows, you
24 know, he's a shit guy so she didn't appreciate it.

25 Q Is that a legal term? (Laughter) Okay, - -

1 Q Okay, but I guess what I was getting at, you never,
2 it was never relayed to you that Monica Diaz had gone
3 there, and that the car was back and that Maria Terrell
4 didn't want to prosecute.

5 A I don't think I recall that.

6 Q Okay.

7 MR. WUNSCH: Well that actually brings something
8 else up which is okay. So, did you ever speak with
9 Maria Terrell yourself about the circumstances of
10 lending, the stealing, whatever?

11 A No.

12 Q Do you think Detective Torres did?

13 A Somebody else did, yes.

14 Q And did you ever speak with Edgerton about - -again
15 the circumstances of whether Brown - - if she was mad at
16 Brown for going to get the car - -

17 A No, I didn't, I didn't interview these people.

18 Q Did you interview anybody at any point?

19 A I went to the Jail, and I talked to Brown when he
20 got brought over there.

21 Q That was way later, right?

22 A Yeah.

23 Q After he got picked up or whatever.

24 A Yeah.

25 Q Well, I'll let John ask you about that. So in any

1 event, as you're trying to put this together, was Mr.
2 Wilson involved early on? Like did you go get him right
3 away from the Jail and say hey, you're going to have to
4 - - we'll need some help on this?

5 A Yes.

6 Q And then, at least initially, you're getting
7 reports over the radio or over the phone from the house,
8 correct?

9 A Yes.

10 Q From the ex - -

11 A Yes, - -

12 Q And some (unintelligible) that they said Brown's
13 were not here, and - -

14 A Oh, yeah.

15 Q What else was told to you from the house?

16 A That they had found - - It's warm in here, no?

17 MR. ROTOLO: Yeah, the owner said the AC broke.

18 MR. WUNSCH: We got you on the run, now. It's
19 heating up in here. (Laughter) Do you want me to open
20 this one, too?

21 MR. ROTOLO: Yeah, that'd be a good idea.

22 THE WITNESS: Alright, they had - - they told me
23 that they noticed that there was a small table near the
24 door that they noticed that there was a pair of
25 camouflage color gardening gloves and a hammer. The

1 Officers went through the front door to confer, and when
2 they returned to the door, they noticed the gloves had
3 disappeared.

4 MR. WUNSCH: Did the hammer also disappear?

5 A No, I guess not. The Officers knocked at the door
6 again, but Edgerton refused to answer. Minutes later
7 Brown appeared at the window and asked what was going
8 on. They asked him - - they were there to investigate
9 the vehicle theft, and I guess that Brown had admitted
10 that he had been driven the car, but he denied stealing
11 it. He was really agitated.

12 Q Okay, so did - - and you don't remember whether it
13 was Zamora or Barrios that told - - that relayed this to
14 you? Is that correct?

15 A Yeah, I was getting it from them, and I believe
16 Lipinski also, who by that time was on scene. Or a
17 couple of different people that were - - Detectives that
18 were on scene.

19 Q Did he - - do you have understanding of why they
20 went to the house? Why did they go there?

21 A Well, because of the suspicion and the report of
22 the theft of the vehicle, the fact that they had seen
23 the people hiding in the car and all that stuff. It
24 sounded to, according to them, (unintelligible).

25 A Did anybody - - let me shift gears, and we'll come

1 back to the house, of course. I'm going to shift gears
2 back to, over to the jewelry store. I'm assuming that
3 now as you're putting together this narrative to get the
4 Warrant, you're talking to other Officers that were at
5 the scene of the robbery, is that correct?

6 A Correct.

7 Q And did any of those Officers tell you what store -
8 - that they taken a report - - did anybody describe any
9 sort of vehicle that left at the time of the robbery?
10

11 A No, but they had told me that they believed the
12 suspect vehicle could have been there by the house at
13 some point. I don't remember how that came to be.

14 Q Okay, wait, suspect vehicle was by the house?

15 A Right.

16 Q But - - the suspect vehicle having to do with the
17 robbery?

18 A Correct.

19 Q And what was - - what is it that made that, you
20 know, specific vehicle be a suspect in the robbery?

21 A The fact that it had the four people hiding inside,
22 and I believe it met the - - matched the description of
23 the vehicle.

24 Q And who gave that description at the robbery?

25 A I don't know. I don't know if it was done through

1 video or witnesses.

2 Q And is that something that would have been conveyed
3 to you from an Officer that would have been - - had
4 responded to the robbery?

5 A Did you see this thing from (unintelligible)?

6 Q Um.

7 A Here you go. Mr. Brown and Peaches were given the
8 car to pick up food for my children. After thirty
9 minutes had a feeling something had gone wrong.

10 MR. ROTOLO: What's that?

11 MR. WUNSCH: Well, this statement was taken by
12 Monica Diaz.

13 THE WITNESS: Right.

14 MR. WUNSCH: Right.

15 A This is a statement that she had taken from Miss
16 Terrell.

17 Q Okay.

18 A Okay? It says - -

19 MR. ROTOLO: Has it got a time on it?

20 A No, it doesn't.

21 MR. WUNSCH: But it's on the second.

22 A It's on the second? Mr. Brown, you could probably
23 gather it from if you look at the CAD sheets of Monica's
24 arrival at her location, you'd be able to get the time.
25 Mr. Brown and Peaches were given my car to pick up food

1 pick up food for my children. After thirty minutes had
2 a feeling something - - I don't know what that says,
3 went wrong or was up. I drove down to Flagler to Mr.
4 Brown's home, and I saw four men in my car on Eagle
5 Avenue. Followed them to Mr. Brown's home where they
6 held their hands up and pulled - - pulled what? - - Oh,
7 they put their hands down and pulled I don't know. I
8 then went around back to my office and called and
9 reported the car was stolen. Did not see Mr. Brown
10 driving the car. Four have heads held down. Five
11 minutes later Peaches did it. She had the car and
12 brought it back to me. I called Officer and reported
13 return of car. Then I told Officers that they may have
14 been in a crime.

15 Q Okay, well is that - - did you have that when you
16 were putting together your Probable Cause?

17 A This is what they were telling me, all this stuff.

18 Q So this is stuff that some (unintelligible)
19 conveyed to you over a radio as well?

20 A Correct. That, you know the suspicions that they
21 had from this lady, you know, it was being put together.

22 So honestly I had to wait a certain period of time
23 before I believed I had enough for a Warrant, right?

24 It's not like I sat down on my desk as soon as this
25 happened and started waiting for information. I waited

1 waited till I believed I had enough, and - -

2 Q Okay, it says that, now if I'm reading this right,
3 it says that she didn't tell the Police that she thought
4 the car was involved in a crime. This says that the
5 Police told her that they thought the car was involved
6 in a crime. Am I reading it right?

7 A Then I was told by Officers that it might have been
8 involved in a crime, yes.

9 Q Right. So just to make that clear, Maria Terrell
10 did not tell anybody that she thought her car was
11 involved in a crime?

12 A No, she was - - the only thing she said it was
13 involved in was that she wasn't appreciative of the fact
14 that she had lent the car for them to go get food for
15 the children.

16 Q But she told Diaz that the car was brought back - -
17

18 A And she saw four guys in it hiding.

19 Q Right. But so - -

20 A She had described that they covered their heads
21 with something like a blanket or something. Put their
22 heads down and covered themselves.

23 Q And we're not sure of the timing of this, right?
24 We don't know if this statement was made - -

25 A This definitely was before I wrote the Warrant, if

1 that's what you're asking.

2 Q I guess I'm asking, yeah.

3 A Yeah.

4 Q Alright, so did - - I guess what I'm trying to
5 figure out is did anybody at Beachcombers say that a car
6 that fit that description was involved in the robbery?
7 I'm not talking about the theft but in the robbery.

8

9 A I think there were people that described the car,
10 that described this vehicle that kind of looked the
11 same, okay?

12 Q Do you know how did that get relayed to you? Was
13 it through Officers?

14 A That was, yeah, through the people on scene. I
15 guess that were talking to the witnesses around the
16 Beachcomber's area.

17 Q And did - - okay, so it's your testimony that there
18 was some witness and some indication that a car fitting
19 that description was used in the robbery?

20 A Yeah, that plus the fact that there was four people
21 hiding in it. So it was definitely suspicious.

22 Q Okay, now how - - and then the way you tie Omar
23 Brown in the car is through Maria Terrell calling up and
24 saying Omar took my car.

25 A Right. It all happened around the same time so it

1 was very - -

2 Q Did anybody from the - - as long as we're talking
3 about it, it's kind of a lengthy depo here, so as long
4 as we're talking about the scene, Beachcomber's, did you
5 get any, did anybody convey to you descriptions of the
6 individuals?

7 A Yeah, they said, you know, they gave a general
8 description, black male, thin build, that sort of stuff.
9

10 Q Okay, this would have come - -

11 A Then their house, this and that, it was - -

12 Q Would this have come to you through an Officer? Or
13 the actual witnesses?

14 A From the radio, from the witnesses, and because I
15 did meet with the witnesses at Beachcomber's.

16 Q So you did go to Beachcomber's?

17 A Oh, yeah.

18 Q Did you go to Beachcomber's before you went to the
19 house?

20 A Um, yes.

21 Q And do you remember which civilian witnesses you
22 met with at Beachcomber's?

23 A Yes, hold on a second.

24 Q We can wait.

25 A I met with a lady that - - I met with a couple of

1 ladies. I'm getting a little messed up, because I had
2 two robberies at Beachcomber's. One prior, and - -

3 Q Well, let's keep this straight.

4 A - - I think I spoke with, when it comes to
5 witnesses, the only people that I spoke with that were
6 witnesses not in the store, I believe it was during this
7 robbery. The only people that I spoke with during this
8 robbery, I believe, were the people that were inside the
9 store.

10 Q Okay.

11 A In the prior one I had spoken to - - tried to
12 gather information from other witnesses.

13 Q Okay, so - -

14 A And so on this one I spoke to a lady that I
15 remember she was scared to death, over being robbed.

16 Q Was she able to describe the vehicle?

17 A Um, I don't remember who described the vehicle.

18 MR. ROTOLO: Do you know what time, approximately,
19 that you spoke to these women?

20 A Yeah, right after the robbery.

21 Q Okay.

22 MR. WUNSCH: How soon after? Twenty minutes, ten
23 minutes?

24 A I don't know. I have to look at the time sheet.

25 Q But only as you would have been - - at some point

1 you sat down at the Station and began to talk to Mark
2 Wilson to assemble your information to do the Affidavit.

3
4 A Right, right. Correct.

5 Q So you would have gone and spoken to them before
6 that? Is that correct?

7 A Yes.

8 Q Okay, and then as far as - - my understanding is
9 that there were two women that worked in the store. They
10 were - -

11 A Correct.

12 Q - - held at gunpoint or whatever, and were you able
13 to get a description of the vehicle from either of those
14 two women?

15 A I don't recall. I remember that we had a video of
16 it. I don't remember what those ladies told me about
17 the vehicle, sir. I don't think that they knew anything
18 about a vehicle.

19 Q Okay.

20 A Off the top of my head.

21 Q And then - -

22 A I remember that that information had been gathered
23 by an Officer that told me, and I believe it was from
24 another witness, not the two ladies.

25 Q Now another woman named, I think, Lazarus Casper,

1 came into the store and who sort of reassured the two
2 ladies that were hiding that everything was okay and
3 whatever. Were you able to get a description of any
4 kind of a vehicle from her?

5 A I don't recall.

6 Q She worked at a chiropractor next door
7 (unintelligible).

8 A I remember I talked to that lady actually, and - -

9 Q Did she give you any kind of a description of the
10 vehicle?

11 A I'd have to read what I got from her. I believe
12 all that I did was get her information and gave it to
13 Lipinski. I knew she had something, I don't remember
14 what it was. Just want to let you know that I have a
15 file that I made on my own, and what happens is they
16 remove these files after two years for the Detectives
17 and it's accreditation stuff. And I don't know where it
18 is, and you know normally Lipinski should have this.
19 I'm sure she's probably got it. I wasn't able to get a
20 hold of her. But it's the actual case file with all our
21 notes and everything else that would be evident, you
22 know. Where I would be able to answer some of these
23 questions specifically.

24 Q Well I guess you have to do the best - -

25 A It was over two years ago.

1 Q Sure, and you have to do the best you can, but so
2 you don't remember if she was able to identify
3 specifically a vehicle?

4 A No.

5 Q Okay. I say she, I'm referring to Miss Casper.

6 A No, it was a general description.

7 Q Of? Wait, wait, wait. A general description of
8 the perpetrator or the vehicle?

9 A The vehicle. The idea that I have - - in other
10 words I don't think, I don't believe that I, you know,
11 my PC for this Warrant didn't come from exactly from
12 this vehicle.

13 Q Sure, I get it.

14 A The exact description of the vehicle,
15 (unintelligible).

16 Q Let me ask you one more thing. You said something
17 about a video. Was there a video of all of this?

18 A There was a video that showed the vehicle going out
19 the back.

20 MR. ROTOLO: Well there's a video on the vehicle,
21 but I don't think it's at the same time as the robbery,
22 and it's in the other parking lot.

23 A It was behind, right?

24 Q That's the video that I have, yes. But in the
25 parking lot behind the grocery store. You see the car

1 passing by there once. Are you saying that this vehicle
2 was, you were told that this vehicle was in - -

3 A No, they - - I remember they told me that based on
4 the stuff, that it might have matched. Now I remember
5 personally thinking that that's not giving me anything.
6 You know, I mean, you got a car that looks like, I don't
7 know, a hundred thousand others, you know?

8 Q Yeah, a white car.

9 A Right.

10 Q At some distance.

11 A Right, you know. Anyway but it definitely, you
12 know, I tell you the way we ended up in the house was
13 because of the coincidence and the time of this lady
14 calling it in. At this time we show up over there, and
15 all of a sudden, boom, we walk into these - - property
16 that was used - - the gloves and the hammer. And then
17 we went from there.

18 Q Okay.

19 A So this car thing, I don't - -

20 Q Let me ask you a couple of questions here if I can.

21 The initial description of the perpetrator, the one
22 perpetrator, who was described in the Warrant, did that
23 come from - - I guess Barry was the first one on the
24 scene, and he spoke to these women?

25 A Mm hmm.

1 Q I mean, was that were this description was coming
2 from?

3 A No, because what happens is you as an officer, you
4 get there, you do your thing, you hold the scene, and
5 then the Detectives come, and we start in and deal with
6 the people.

7 Q Okay. So, are you saying you got the description
8 of - -

9 A He might have given a general description, and then
10 we showed up and got more, you know, and interview the
11 ladies.

12 Q The five eight, medium build, wearing a cap with a
13 peak on it.

14 A That might have been from him or whoever was with
15 him, yes. Whoever, I don't know exactly - - I couldn't
16 tell you that it was Neary that called it out because
17 obviously a call like this is more than one Officer that
18 responded.

19 Q Right.

20 A And maybe it was him, maybe. I couldn't tell you,
21 you know it's over two years ago, exactly who called us
22 out over the radio.

23 Q Okay. Well you put in the Warrant that you had
24 seen Brown on other occasions or that he often wore a
25 turtleneck and a peaked cap. Can you tell me a little

1 bit about that? You don't usually see a lot of people
2 wearing turtlenecks in Key West.

3 A No kidding, I wrote that in the Warrant?

4 Q I think it's in there, within the application,
5 yeah. Let me - -

6 A I can tell you I believe you.

7 Q Applicant has known Omar Brown for at least six
8 years and has arrested him in the past. He is a black
9 male, approximately five eight tall, has a medium build.

10 The applicant is familiar with him. Omar Brown dresses
11 - - Brown often wears turtleneck sweaters and a
12 distinctive knit cap with a short visor. This clothing
13 consistent with what assailant in the robbery was
14 reported wearing. So - -

15 A Right, and I believe we have - -

16 Q And you mention - - have you seen Brown
17 (unintelligible) - -

18 A We have done field interview cards.

19 Q Uh huh.

20 A And you know he's got his style of dressing just
21 like Laquenton Cade's got his style of dressing.

22 Q Well, I've only ever seen them in Jail. (Laughter)
23

24 A So that would be the style you see.

25 Q So I got to know. This is saying that you had seen

1 seen him wearing these items before, right? Or is it me
2 trying to say something different than that?

3 A Let me read this exactly what I wrote here.

4 Q Okay. Second page, second, I'm sorry, last page.

5 A Is the applicant familiar with how Omar dresses?
6 Yes. Brown wears turtlenecks. Yes. He normally wears
7 turtlenecks, dresses with distinctive knit caps. He
8 wears that, those knit caps that look like old man's
9 kind of hat.

10 Q Uh huh. Yeah, I know what you're talking about.
11 It's like a skull cap but with a visor in front of it.

12 A Exactly.

13 Q I actually have one of those.

14 A He loves to wear those things in different colors.

15 Q Okay, so you have seen him wear - -

16 A Yes.

17 Q - - this type of clothing? Were these items found
18 in the house? Or do you know?

19 A I don't know.

20 Q So you don't know if they found them - -

21 A I don't know exactly whether it was found there.
22 You know I don't - - as a matter of fact, I don't really
23 know whether or not he was actually living there
24 anymore. Because I remember there was some drama going
25 on there. I believe Terrell had just gotten out of

1 Jail, so he had her staying at his girlfriend's house,
2 but they had just gotten kicked out. And, but Terrell
3 was still staying there.

4 Q So Dominic Terrell was staying at that house on
5 Duck?

6 A Yeah, and Omar had got in an argument with his - -
7 I don't know there was some mess going on. Whether he
8 had moved out or he was no longer there, I don't
9 remember. He told me something about all that stuff.

10 Q Okay. But he came - - he was there that day, but
11 you're saying he may not have been living there?

12 A Right, he might have gotten kicked out recently.

13 Q Okay. When - - Rick, did you want to go on or?

14 MR. WUNSCH: You can ask some questions. I was
15 thinking of trying to wrap up his visit to the scene.

16 MR. ROTOLO: Yeah, go ahead and do that. I'm
17 sorry, I was - - Without really trying to jump back and
18 forth.

19 MR. WUNSCH: No, that's okay, no, no, no. One of
20 the problems just so you know is - - I know John's
21 probably the same way - - if a question leads to
22 something in my head, and I don't ask it - -

23 MR. ROTOLO: Then you forget, right, right.

24 THE WITNESS: Go ahead. I'm alright.

25 MR. WUNSCH: So, okay, and I think it looks like

1 from looking at your Affidavit that you're indicating
2 that someone told you that one of these people was
3 black.

4 A Yes.

5 Q And that - - You know did - -

6 A That was a witness at the scene.

7 Q So that didn't come through an Officer? That came
8 from a witness that you spoke with yourself?

9 A Yes. They knew for sure the people were black.

10 Q At least one of them?

11 A Mm hmm.

12 Q And do you remember who said that?

13 A I think, no, one of the ladies. I can't tell you
14 from the top of my head what her name was.

15 Q And then did you conduct any other interviews at
16 the scene other than what we've talked about?

17 A Not that I recall. If I did, it'd be on paper.

18 Q And, regarding any significant information that you
19 gathered, whether from specific witnesses or from
20 talking to your Officers, is there anything else that we
21 didn't talk about?

22 A I'm sure there is a lot, but - -

23 Q Well let's try to get to it. What about
24 description of a firearm? Did you get a distinct
25 description of what kind of gun it was?

1 A No, I don't think personally I did.

2 Q Would - -

3 A Well what I did is basically get whatever basic
4 thing and then we take care of the victims and then we
5 normally what we do is we take them to the Station and
6 give them a thorough interview.

7 Q And did you do that?

8 A No, I didn't.

9 Q So a different Officer would?

10 A Right, exactly. Normally that's how it is.

11 Q And you don't recall anybody giving you a specific
12 description of a weapon? Care to say?

13 A I remember there was one, yeah, but I don't
14 remember what it was.

15 Q Do you know who gave it? Was it one of the
16 victims?

17 A No.

18 Q And do you recall any other - - did any of them
19 give you any sort of any of this information or
20 testimony to indicate whether it was an operational
21 firearm or not?

22 A No.

23 Q So nobody was close enough to tell you that it was,
24 you know, a revolver, an automatic, rusty, not rusty,
25 black, blue, silver, chrome? Nothing like that?

1 A I remember that, you know again I'd have to look in
2 my notes but for example at the robbery at Bourbon
3 Street, they told me the gun looked a little bit old,
4 and I remember thinking that this might have been the
5 same one.

6 Q And when they got - - I mean I've got one where
7 (unintelligible), this, that and the other, nothing
8 matches it again.

9 A I don't remember hearing anything like that.

10 Q What about any sort of distinguishing tattoos or
11 anything on any exposed skin?

12 A I know from my robbery, the one that I did at 801,
13 remember that there were some tattoos, some warts.

14 Q What about this one?

15 A I don't, I don't recall.

16 Q And now you had said that Laquenton has - - just
17 like Omar's got his style of dress, and you actually
18 went so far as to describe that in the Warrant. I
19 notice an absence regarding anything about Mr. Cade. Is
20 that fair to say that nothing about the way these people
21 were dressed made you think of Laquenton Cade? Is that
22 fair to say?

23 A What was I going to tell you? No, the actual
24 robbery made me think of Laquenton Cade.

25 Q Right, but I'm - -

1 A Because I remember that we were thinking oh, he's
2 going to do it again any time soon. And, you know, we
3 would of been doing field interviews of them all the
4 time. Yeah, he dresses very flashy, and I'm sure he's
5 not going to work dressed like that for a robbery.

6 Q But the question is you did take steps to point out
7 that there was somebody that dressed like Brown, but you
8 didn't do that about Cade. Nothing made you think
9 Laquenton Cade. About appearance - -

10 A Just the actions.

11 Q Just that it was (unintelligible) the robbery.

12 A Right. The way he came in and all that. You know,
13 the same, that was his modus on video at the Bourbon
14 Street.

15 Q Okay. When you said the way he came in, are you
16 talking about something that was relayed to you from the
17 victims?

18 A Right.

19 Q Who told you (unintelligible)?

20 A One of the ladies that, you know, said that he came
21 in, pointed a gun and blah, blah, blah.

22 Q What else? He pointed a gun. Would he have said
23 something specifically?

24 A I don't remember specifically, because I don't have
25 my notes in front of me. However, I remember thinking

1 thinking in my head that I, that this is, you know,
2 yeah, it's him.

3 Q Okay. They were so - - when you say you're sure
4 there's more, I mean we really have to talk about it now
5 because we're - - we have a Judge that's sort of pushing
6 us along, and I don't want to have to try to re-depose
7 you once you get your notes or anything like that. So
8 really think a little bit. I mean, that's kind of a
9 significant piece of information there that someone told
10 you that someone came in the same way that - -

11

12 A I remember I, okay, more, like more - - Okay, what
13 are we talking about? The details of what happened at
14 that moment?

15 Q Yes.

16 A Okay, - -

17 Q Anything that got told to you that - -

18 A Have to tell you I'm sorry but I do not, you know,
19 I mean I can only get what I remember, and it's been
20 over two years, and if I don't have my folder, and I
21 don't know where the file is.

22 Q Listen, don't - - I'm not trying to intimidate you
23 to do anything wrong. It's fine. I'm just saying that
24 this is our one opportunity to take the deposition, so
25 let's make sure that we get everything we can and to

1 take it piece by piece. Let's try to finish up with the
2 scene. Otherwise we're going to be here until tomorrow.

3

4 A Okay. The scene at the house?

5 Q No, at the jewelry store.

6 A Okay, I - -

7 Q You think we're done?

8 A I think we're done, yeah.

9 Q So we got somehow the description of a vehicle, a
10 white car that might or might not have - -

11 A Been involved.

12 Q Been involved. And then we have the description of
13 the suspects, a description of a weapon. You can't
14 think of anything else?

15 A The bandana that was worn.

16 Q Okay, both of the individuals have a bandana?

17 A I don't recall. I remember that there was a real
18 good description of one of them, the second one.

19 Q Alright, so did you then, if you remember, did you
20 proceed from Beachcomber and go to the Station?

21 A Yes.

22 Q Or did you go to Eagle Avenue? Was it Duck or
23 Eagle?

24 A Eagle.

25 Q Not Duck?

1 A Yeah. I didn't go to the Eagle Avenue thing. I
2 just - - as soon as I got to the Station, things started
3 falling into place, and I remember that I got the
4 information that, while I was at the Station, that they
5 had found - - that they had - - I said how'd you guys
6 end up at this house. Then they told me about this lady
7 calling in a stolen car, blah, blah, blah. Then when
8 they got there, they had a hammer and something else
9 they found that was in, you know - - Don Guevremont went
10 out there to see if this stuff matched. And then from
11 there I remember I started thinking okay, I'm going to
12 write a Warrant, and you know might have enough here for
13 a PC for a Warrant. I got a hold of Wilson, and we went
14 from there.

15 Q Okay. So, so, your understanding is the way that
16 Barrios and Warren, eventually Lipinski, end up at the
17 resident's address on Duck Avenue.

18 A Right.

19 Q Why they end up at Duck Avenue is - -

20 A Originally over that car.

21 Q Over a stolen car?

22 A Exactly. And then it evolved from there to the
23 markings on stuff that - - the hammer and stuff that was
24 out there.

25 Q And, John, did you want to ask a couple of

1 questions about the scene, or do you want me to keep
2 going or?

3 MR. ROTOLO: Keep going till you're finished and
4 then I - -

5 MR. WUNSCH: Okay, sure. So we obviously, we sort
6 of bounced around a little bit, so is it my
7 understanding then is that you were relayed some
8 information from the scene through Zamora and Barrios.
9 You're not a hundred percent who - - perhaps even
10 Lipinski - - calls (unintelligible).

11 A Correct, right.

12 Q And now tell me again so at some point there's a
13 table with gloves and a hammer on it, right?

14 A Right.

15 Q And then all of a sudden the gloves were gone, but
16 the hammer's still there?

17 A Right. Like they heard a door. They went to - -
18 they walked towards the front of the house or something
19 like that, and then they heard a door slam. They go
20 back. The gloves are gone.

21 Q Now - -

22 A The hammer's still there.

23 Q Now did they pick the hammer up and seize it? Did
24 they bring the hammer to the Station, and then you guys
25 looked at it and stuff?

1 A Uh, I don't know. I think, I believe Guevremont
2 went out there and recovered it. I don't know at what
3 point he prepared anything if he was at the Station or,
4 I mean, you got to read this report to see what.

5 Q But in any event it definitely - -

6 A Matched the - -

7 Q So now what - - the matching was based on what?

8 A You'd have to ask Guevremont.

9 Q Okay. But somehow the hammer is tied to the
10 robbery?

11 A Right.

12 Q And is that pretty much it as far as the probable
13 cause to get a Warrant to go in their house?

14 A Then on top of that we had the dogs, Daschel
15 (phonetic), which is Keith Rendueles' dog.

16 Q Right.

17 A And he, they had done and he had searched the car,
18 and I guess there was controlled substance inside of the
19 car they believed there to be. Subsequent of the search
20 of the vehicle revealed marijuana.

21 Q Well what's the relevance of that regarding the
22 Warrant?

23 A And as well there was also glass fragments.

24 Q Okay, now is that discussed in you Warrant
25 application?

1 A Yeah. There were glass fragments on one side of
2 the vehicle.

3 Q And now this is - - this vehicle is not been
4 reported stolen?

5 A Correct.

6 Q This is a red Honda, right?

7 A Yeah, this is the girlfriend's car.

8 Q Okay, so what is the significance of finding glass
9 in the vehicle that wasn't reported as having anything
10 to do with anything?

11 A Well it was my understanding that what happened is
12 they borrowed a car. They use that car, and then they
13 got in the other car and came back to the house. It's
14 my understanding. There was broken glass there. I
15 don't know if somehow at some point somebody got in
16 there and dropped some glass. I don't really know
17 exactly how to tie all this together. I'm just telling
18 you that's what they told me.

19 Q And what - - was the glass - - I understand there
20 was some sort of an analysis made to tie the hammer and
21 the type of scratches to cases of protective glass. Was
22 the same thing done regarding glass that was found in
23 the vehicle outside of the residence?

24 A I couldn't tell you that. Guevremont is in charge
25 of Crime Scene investigation, and he would have done

1 most of those things.

2 Q (Unintelligible).

3 MR. ROTOLO: Yeah, Rick, we actually did his depo.
4 This glass didn't have anything to do with the robbery
5 as it turned out. It was from a broken window in the
6 car. A window that had been broken in the car.

7 MR. WUNSCH: Um, the marijuana that was found in
8 the red Honda, is there something that, other than the
9 time that it had been parked out front, is there
10 something that led to the residence?

11 A No, nothing seemed like it to me. I'm just stating
12 the chain of events.

13 Q I guess what I'm wondering is regarding the
14 application for a Warrant, what would the relevance of
15 some marijuana being found in a vehicle have to do with
16 this, I guess? I'm just asking, right.

17 A I think I just wrote it there because it was
18 explained to me that that had happened so I wrote it in
19 there, and I didn't know whether or not the glass had
20 anything to do with it at the time.

21 Q Okay. Also, well, when you came - - and so you put
22 the Warrant together with information that was given you
23 by others, correct?

24 A Right.

25 Q Did - - and then at some point before the

1 application for a Warrant was made, you actually went
2 out to the residence?

3 A No.

4 Q Okay, you did not. Okay.

5 A I believe I went to the residence after I got the
6 Warrant. I mean once I got started on this, I didn't
7 stop until it was done and signed by Judge, everything,
8 so.

9 Q How long did it take you to put it together?

10 A Few hours. I remember it was dark by the time we
11 got to the house. It did get dark.

12 Q Can you think of any other information that was
13 given to you from other Officers at the house before?

14 A Yeah, remember that Omar Brown came out. He wanted
15 to leave to go get food, and he took off.

16 Q Did he come back?

17 A Nope, never came - - well he came back, you know.
18 (unintelligible)

19 Q Well, (unintelligible). Did anybody else try to
20 leave?

21 A I don't believe so.

22 Q If you're trying to tie the white car with the four
23 black males to this crime, any idea who the other two
24 were?

25 A I don't personally know. I mean, I could imagine

1 it was probably Terrell or somebody else, I don't know.

2 Q And - -

3 A I mean this guy has something on Laquenton Cade. I
4 mean the, yeah, he's got association with several other
5 people he could have used.

6 Q Do - - I guess I'm - - anything else other than
7 what you just mentioned about Brown leaving the
8 residence before you were there? Anything else as far
9 as information that was relayed to you from other
10 officers before you brought the Warrant to the house?

11 A We have the stuff about the car, the marijuana, I
12 don't know. That the striations in the head of the
13 hammer appear to be consistent with the marks on the - -
14 at the scene. Furthermore the jewelry cases had stain
15 marks that appear to be consistent with the rust found
16 on the head of the hammer. The head of the hammer was
17 lightly rusted and had the striations prior to use.
18 During the scene I guess the - - they had used a hammer
19 to smash the glass jewelry cases. So that was - -
20

21 MR. ROTOLO: Did that come from one of the victims?
22

23 A Yes.

24 MR. MADRUGA: Gentlemen, can I interrupt you for
25 just a brief recess?

1 MR. ROTOLO: Okay, we're back from our short break
2 and recording again.

3 MR. WUNSCH: What I was trying to (unintelligible).

4 I guess what I was trying to get to is do we have all
5 the information that was given to you whether it made it
6 to the Warrant or not? Any information that was relayed
7 to you from the Officers that were on the scene,
8 obviously trying to figure out a way to get into the
9 house, anything else they told you that we haven't
10 talked about yet?

11 A You know there might have been information that I
12 didn't feel was relevant at the time. So I tried to put
13 what I believed to be the most important stuff to
14 achieve a Search Warrant.

15 Q And we got to that, we were there. We talked about
16 everything that was in the Warrant, correct?

17 A Correct.

18 Q And then the - - I guess the last thing that to
19 sort of talk about is when you got there, were you like
20 one of the first Officers into the house once you had a
21 Warrant or did - -

22 A I don't recall. I remember I went in the house at
23 one point. I don't think I was involved with the entry.

24

25 Q And do you remember - - there was an Officer

1 apparently that was posted, I think it was actually
2 Officer Sutherland, that was posted there to sort of
3 make sure that nobody came or went or if they did, try
4 to detain them? Do you know anything about that?

5 A No.

6 Q You would have been - -

7 A I remember Zamora was there on scene, and then I
8 remember somebody wanted to leave and he called, and I
9 said we don't think have any reason to be able to stop
10 anybody. I mean or to, not anybody move along that, you
11 know, go on their way, you know. That's why I guess he
12 let Omar go, you know. Said he wanted to go get food.
13 I don't think we had enough to keep anybody.

14 Q Did - - John, do you want to ask any questions
15 before we move on to the scene or do you want me just to
16 finish up with him?

17 MR. ROTOLO: Let's just finish up. Whatever you're
18 going to do so that I don't keep interrupting you and
19 then I'll ask - - I'll have some questions about
20 probably every aspect of this.

21 MR. WUNSCH: Regarding then when you actually got
22 the Warrant signed by the Judge and got to the
23 residence, tell me about what you saw, what you found,
24 who told you what.

25 A I did a little walk through. That was it. It

1 wasn't really my case, you know. I gathered, you know,
2 whatever people told me that they felt that they wanted
3 to tell me, what they found or what they didn't find.

4 That was it.

5 Q Did you take custody of any of the evidence?

6 A I don't recall, sir. If I did, it would be in
7 Property. I believe that normally Guevremont with
8 somebody else does that. I was just there more for like
9 security type thing.

10 Q And did you take, personally take, any statements
11 from the people that was on the scene, I'm sorry, from
12 the people that were found in the residence?

13 A Um, I believe I exchanged words with a few of them,
14 but, and I was there where they were talking to other
15 people, to other investigators, and I believe that, you
16 know, if there was anything important, I would have
17 written it down in my report.

18 Q Did - - do you recall looking at quotation marks
19 around anything that anybody, any of the suspects, Mr.
20 Cade, - -

21 A I learned a whole life story of these people. I
22 wasn't aware of who was related to who and this and
23 that. I remember that a lot of it I learned there
24 because, you know, it was (unintelligible). I'm thinking
25 okay, the ex-wife lives over there, what the hell is

1 hell is this kid living over here? And what happened is
2 he just got out of Jail, and he screwed up so they
3 kicked him out.

4 MR. ROTOLO: Talking about Dominic?

5 A Right. About Dominic, and (unintelligible). I
6 remember talking to Dominic. Dominic was like listen,
7 the man has done nothing but help me out. I can't tell
8 you anything and nobody told me that, something at
9 first, you know.

10 MR. WUNSCH: This is about who? From Dominic.

11 A Omar Brown.

12 Q So Dominic was Omar Brown's stepson?

13 A Stepson or (unintelligible), I don't know
14 something, I don't know.

15 Q His name is Dominic Terrell, correct?

16 A Yeah.

17 Q So, and it is Maria Terrell - - Maria Terrell is -
18 -

19 A Right.

20 Q - - his sister, correct? Or is he the son?

21 A I believe - - I don't know.

22 MR. ROTOLO: Maria's the mother of Dominic.

23 MR. WUNSCH: Okay.

24 MR. ROTOLO: But I don't think Omar is the father
25 of Dominic.

1 MR. WUNSCH: Okay.

2 MR. ROTOLO: It might have been, yeah they were
3 married, stepfather, that what's I believe.

4 MR. WUNSCH: I got you. So Dominic didn't make any
5 statements against Omar?

6 A Yeah, he didn't want to because he said I can't say
7 anything because, you know, the man's done nothing but
8 help me.

9 Q Did Dominic have anything to say about Laquenton?

10 A I don't recall.

11 Q And Dominic didn't get arrested?

12 A No, I don't think so.

13 Q Why not?

14 A I wouldn't be able to tell you. Probably because
15 they couldn't prove he was involved. I don't know.

16 Q And then how did you prove that Laquenton was
17 involved?

18 A We gathered probable cause and did it.

19 Q But, so when you got there, Dominic Terrell was at
20 the house, right?

21 A Dominic? Yes.

22 Q Because he talked to you about Omar?

23 A Yes.

24 Q So he must have been in the house?

25 A Yes.

1 Q And was Keith Edgerton at the house?

2 A I don't remember.

3 Q And was Laquenton Cade at the house?

4 A No, I think he had - - yeah, he might have been
5 taken into custody already. I don't really recall.

6 Q And so - -

7 A Oh, yeah, yeah, yeah, he was taken into custody,
8 because I remember when I walked in the Station, he took
9 a dive on the floor.

10 MR. ROTOLO: Say what?

11 A And he started yelling. He saw me walk by the
12 interview room - -

13 Q Uh huh.

14 A - - and he took a dive on the floor and he started
15 don't beat me, don't beat me.- -

16 Q (Laughter).

17 A A couple of bosses were standing there, he didn't
18 see them, and they were like oh my god, can't believe we
19 have to live with this, you know. Yeah, I know, that's
20 what I get.

21 MR. WUNSCH: Sure you didn't trip him? C'mon.

22 A No, unless I could stop time and jump in there. I
23 mean it was like ten feet away, you know. Oh by the
24 way, it's on video.

25 Q (unintelligible). Alright, well I guess if you

1 don't know, you don't know, but if Laquenton was in the
2 house and that's why he got arrested, and Dominic was in
3 the house and didn't get arrested, I'm just sort of
4 wondering what is it that led to Laquenton getting
5 arrested.

6 A Well, you'd have to ask the person that put all
7 this together.

8 Q And that would be Lipinski?

9 A Yes. I could tell you there was a lot of stuff
10 that she worked on and put together, but - -

11 Q So you - - now there was some jewelry found in the
12 residence, correct?

13 A I believe so.

14 Q Do you know where it was found? Did you find it
15 yourself?

16 A No, I didn't do that.

17 Q So you didn't participate in the search?

18 A No. I remember I looked around, but I didn't - -

19 Q How many people did it appear that lived there?

20 A Three or four.

21 Q And did - - like did Laquenton have a
22 (unintelligible)?

23 A Supposedly it's the girlfriend and Omar and - -
24 three, I believe.

25 Q And did like Laquenton appear to have a bedroom of

1 his own or?

2 A I don't know.

3 Q And so Dominic Terrell was there, was there any
4 other roommates that were there?

5 A I don't know.

6 Q How many of the roommates that weren't there?

7 A I can't recall. That would have been documented by
8 somebody else.

9 Q And did you, once Laquenton was in the Station and
10 he had his little episode, did you ever participate in
11 his interrogation at the Station?

12 A I believe I think after that happened - - I was
13 going to walk in and go talk to him, but after that I
14 was like ooh, good luck.

15 Q Did - - So you didn't like sit down and question
16 him about the other robberies and this one and anything
17 like that?

18 A I couldn't tell you. I remember I tried to talk to
19 him at some point, the best I could do. I remember him
20 doing the little act and - -

21 Q But he didn't have a significant discussion with
22 you or else obviously you would have written it down and
23 (unintelligible)?

24 A Right. Exactly.

25 Q Can - -

1 A Do you have my report, by the way?

2 Q I, I - -

3 A I mean I - -

4 Q I'm sure I have that now.

5 A - - I'm trying to look for this folder at the
6 Station prior to coming here, and the best I could come
7 up with was with what didn't get erased.

8 Q Well, let me - - well John is looking for it. Let
9 me ask you a couple of follow-up questions. Can you - -
10 Now it's been kind of a long depo, about an hour and a
11 half or so, and John's got some questions for you.
12 We've already - - the subjects that I covered, can you
13 think of anything significant that we haven't talked
14 about?

15 A No, I remember though the investigation didn't end
16 there. That it was, you know, it went on for a while
17 after. I remember that it was, you know, jewelry that
18 was found. I remember there were conversations that
19 were looked into.

20 Q Conversations between whom?

21 A Between the people at the Jail and other people.

22 Q Do you know anything - -

23 A That was - - I didn't take care of that, somebody
24 else did. I know that, you know, that, you know, that,
25 you know, basically it was Lipinski's case. She worked

1 this case. She did the work on it, and I had other work
2 to do.

3 Q Well, I don't have anymore questions. I'm sure
4 that Mr. Rotolo does.

5 MR. ROTOLO: Yeah, I have just a few though,
6 (unintelligible) may lead to more. I'm interested in
7 the business about Mr. Brown talking to you about these
8 other robberies.

9 A Right.

10 Q How did that come about?

11 A He called me. I was working at the Police Station.
12 He called me.

13 Q He called and asked for you specifically?

14 A Yeah, I think he called my cell phone as a matter
15 of fact. And he just wanted to talk to me. He said,
16 listen, I got some information for you. I need some
17 money. I need to get out of here, and I said, well,
18 what do you got? You know?

19 Q He said, he's got? Okay, that was going to be one
20 of my questions. His motivation was that he's trying to
21 get some money?

22 A Right.

23 Q You were giving him some?

24 A He was trying to get some money. I mean, he said
25 that he was very scared to talk about it because he said

1 said I'm rolling with some bad dudes and this and that.

2 Q Could we put this in some sort of, I mean I know
3 you're not going to remember exactly when, but in a time
4 context?

5 A Yeah, I was - -

6 Q Shortly before this?

7 A It was right after the Bourbon Street robbery.

8 Q Okay, and - -

9 A And that was, you know, I think it was within a
10 couple of weeks of that.

11 Q Okay, but he calls you?

12 A Mm hmm.

13 Q Tells you he needs some money. He wants to get out
14 of town, and what information does he give you?

15 A He tells me that he's really with some bad dudes,
16 and he's, you know, he asked me you know who this is,
17 right? And I said yeah, I can tell by your voice who
18 this is, and he tells me well, you know I can get you
19 the gun. I'm trying to figure out where the gun's at,
20 but I'll give you more information, keep an eye on this
21 guy. I can't do much more just keep an eye on this guy,
22 and he told me to keep an eye on Cade.

23 Q Okay, did you know Cade?

24 A Yeah.

25 Q Okay, and - -

1 A Yeah, I know the whole Cade family.

2 Q Is it a lot of conversations with Omar? Or just
3 this one or?

4 A There was like three or four. Some of them, you
5 know, were at two o'clock in the morning where he called
6 me at my house, so I didn't have time to record them,
7 but.

8 Q So he's telling you that Cade is involved in these
9 two robberies?

10 A Yes.

11 Q Is he saying that he also was involved or?

12 A No, he told me at some point I screwed up or
13 something to that sort, you know. Where I was like, uh,
14 you're involved, you know, but I had a feeling he was
15 going, but he couldn't, you know, all it was it was just
16 an idea that I, you know, from talking to him that I was
17 gathering in my head. I couldn't - -

18 Q Well, were these two robberies solved?

19 A The other two?

20 Q Yeah, the Bourbon Street and the jewelry store.

21 A I don't believe so.

22 MR. WUNSCH: I can tell you that the jewelry store
23 robbery was charged to Cade at different times.

24 MR. ROTOLO: That's the one that always comes to
25 Court, his wife?

1 MR. WUNSCH: Yes.

2 MR. ROTOLO: Okay. So that - - Cade was charged.
3 Only Cade?

4 A Yeah. I remember the - - I got to tell you though,
5 as far as I got with the robbery at Bourbon Street,
6 which is the one where he told me he did it for sure.
7

8 Q That Brown told you that Cade did it?

9 A That Cade did it, yeah. That he - - that as far as
10 I went is having the video halved, and we couldn't get
11 anything.

12 Q Okay.

13 A I sent away for a Trid (phonetic) prints and I
14 pressed on that, and it was kind of funny because I sent
15 the prints away. I sent them a disk to compare with the
16 prints from - -

17 Q Cade?

18 A Yeah, from Miami Dade that were the full, you know,
19 palms and everything, and then they returned it. They
20 had dusted the disk itself, which is kind of funny.

21 (Laughter) Yeah, so I had to call them back and - -
22

23 Q Got your prints!

24 A And they said - - Yeah, they got my prints and they
25 couldn't identify them which is funny. And I said oh

1 oh great, now I'm in there.

2 Q Did Brown seem to know the details of these
3 robberies when you spoke to him?

4 A Yeah, yeah.

5 Q So, okay - -

6 A He convinced me he knew what was going on.

7 Q So nobody ever got charged in the Bourbon Street?

8 A Right. Because I told him, I said listen, there's
9 - - I know there's somebody else involved in this thing,
10 and he's like, you know, like (unintelligible) well,
11 yeah, but I can't tell you that, uh, uh. You know it
12 was kind of like.

13 Q Well, there was a security video in the jewelry
14 store or was there?

15 A Uh, which one?

16 Q The jewelry store that got, I'm sorry, the guy that
17 died.

18 A I have no idea. That was, uh - -

19 Q That was - -

20 A Yeah, that was Caruso's case.

21 Q Okay, how about the Bourbon Street? Did they have
22 some sort of video?

23 A Bourbon Street had video, however, I sent it away
24 to get it enhanced, and at that time I got promoted to
25 Sergeant, and so I left the case. I don't know who took

1 took over it.

2 Q Okay.

3 A I believe it was Matt Haley.

4 Q Both of these robberies were by black males?

5 A Yes.

6 Q And just one?

7 A You could - - he was very covered. In this one he

8 had covered. He was wearing, Cade was wearing a, I

9 believe it was - - fuck.

10 Q That's okay, we're not in Court.

11 MR. WUNSCH: (unintelligible).

12 MR. ROTOLO: Okay. But you couldn't tell that it

13 was him or who it was. Is that what you're saying?

14 A No, just by his physical appearance, that's all.

15 He's very skinny and yeah, just got plenty, he's got

16 tattoos, but because he's, you know, dark skin on the

17 tattoos, they're hard to see.

18 Q Does it show up on the video?

19 A But on the video you could see there was something

20 there, but you couldn't, you know, not enough to be able

21 to prove it. How's that? But, you know very consistent

22 with - -

23 Q Your prior arrests of Omar Brown were drug cases,

24 I'm assuming?

25 A Yeah, drug investigations. I am not - - and they

1 weren't, you know I didn't personally arrest him. I was
2 just involved with the street crimes, did things and
3 other people did, you know, and you know I don't - - I
4 mean, have I seen him in cuffs? You know that's how I
5 know him. You know I've stopped him a hundred times,
6 you know. And I've talked to him a hundred times, but
7 he just sits there and serve dope and do his thing. But
8 he was always very - -

9 Q You didn't look at him as a robber?

10 A Oh, no, no, no.

11 Q So when he contacts - -

12 A You know if you tell me, you know, the dope dealers
13 that show up over here, do they do robberies? Heck,
14 yeah. They do that, they do a couple of burglaries, and
15 they go home, you know.

16 Q You didn't know of him doing that prior to this?

17 A Did I think of him as that, no.

18 Q No. So - -

19 A I thought of him as a, you know, dope dealer. I
20 know he had to do - - obviously being involved with dope
21 and you know, stolen property type of person, you know.

22 Because I had had, you know, you'd always see him with
23 some new guys or somewhere, you know.

24 Q You didn't think of him as an armed robber?

25 A No, but, I mean - -

1 Q There's a good - - think of Cade that way
2 (unintelligible)?

3 A From what - - I thought of him that way because
4 Omar Brown told me.

5 Q Okay. And that was it? I mean before that you
6 didn't think of Cade as a robber, did you?

7 A Did you see his sheet?

8 Q I haven't.

9 A Oh, alright. (Laughter) No, he's a great guy.
10 He's the kind of guy you want to hang out with.

11 Q (Unintelligible)

12 A Definitely get in trouble.

13 Q That answered, have you seen his sheet indicate
14 that it would contain some robberies possibly?

15 A Let me just put it to you this way, okay. This
16 whole family they're not exactly, you know, the three
17 brothers that I met - -

18 Q Uh huh.

19 A - - are not exactly the kind of person you trust.

20 Q I'm not clear about why Omar - - and maybe you're
21 not clear either - - but why Omar is still in this.
22 He's reporting Cade to you as a robber.

23 A Uh huh.

24 Q And - -

25 A I don't know. I had the guy come - -

1 Q Did he ask you for money? I mean is - - he needed
2 money?

3 A He needed money.

4 Q To get out of - -

5 A I don't know if he needed money. You know, when
6 you start thinking about it, okay, he needed money, and
7 these guys are really bad dudes, he's scared of them. I
8 don't know, maybe he owe - - you know, Cade brings dope
9 back and forth. That's really I think his main thing,
10 okay?

11 Q Okay.

12 A So basically, you know, I don't know if he owes
13 them. You know, I don't know if Omar has turned into an
14 addict, and he owes them money, and now he's trying to
15 get some, and all of a sudden he joins them to do these
16 things. I couldn't tell you exactly what's going on,
17 you know. I could tell you this, why would he let Cade
18 stay at his house or at his girlfriend's house, there's
19 something going on there, you know. The guy was found
20 at his home, right? So obviously he's letting them hide
21 there or stay there for some reason, so obviously he
22 owes them for something. I don't know what their cases
23 are in Miami or their - -

24 Q He trying to get him arrested, right? And that's
25 the purpose of him calling you, it's to try to get - -

1 A Right, to get him arrested.

2 Q - - him arrested.

3 A He either owes them, there's something going on.

4 Q Sure.

5 A And then maybe he bails him out of jail. There's a
6 lot guys, you know, when they work for somebody, they
7 bail you out of jail, do things for you. And then you
8 got to pay them back and - -

9 Q You didn't have a previous - - you said you had
10 never previously actually arrested Omar. You were there
11 when - -

12 A I have been involved in his arrest, yes, but I
13 don't, didn't. I mean, I was there while we were doing
14 the arrest or the stop or the thing, but I don't clearly
15 remember. I can't tell you. It's been eight years so
16 whether or not I ever wrote an Affidavit, I'd have to go
17 back and look.

18 Q No, that's alright. After Omar was arrested, did
19 you speak to him? Did you - -

20 A Yes.

21 Q - - You were there and present for an interview in
22 the Jail, right?

23 A I went to the Jail.

24 Q And just you or somebody else with you?

25 A No, I believe somebody else was with me. Who was

1 it? I mean there was a couple of people there.

2 Q Okay. This is recorded?

3 A I believe so.

4 Q What did he have to say in the Jail?

5 A He told me about - - what did he talk to me about?

6 He talked to me about this whole thing that happened

7 about him running and how he escaped from, what's this

8 Georgia or somewhere?

9 Q Oh, okay.

10 A You know what I'm talking about?

11 Q Yes, I do.

12 A Yeah, he went - - he told me all how, you know,

13 there was this dumb cop that, you know, let him roll

14 down the window, and then he jumped out, and he told me

15 the whole thing about how he escaped from there.

16 Q Did he invite you to the Jail? I mean, did he ask

17 you to come out and interview him or was that something

18 that - -

19 A I think I found out he was coming, and so I went.

20 Q You went?

21 A Yeah.

22 Q Mirandized him?

23 A Right.

24 Q Did he talk about this robbery?

25 A You know he told me a few things and I don't

1 remember what it was, and it should be in my report or
2 it should have been taped and turned into Evidence.

3 Q Okay. Did he admit being involved in this robbery
4 at Beachcomber?

5 A I don't think he said I did these robberies. But
6 he did say, you know, things like I screwed up and this
7 and that. And remember he had told me that over - -
8 when he was on the run. He had called me after the
9 robbery, and he had told me.

10 Q He called you on - -

11 A After the robbery. Like a day after - -

12 Q Again on your cell phone?

13 A Yeah.

14 Q How did he get your cell phone number?

15 A (inaudible)

16 Q No, but I mean initially. Did you give him your
17 cell phone number?

18 A I give my phone number to everyone.

19 Q Okay.

20 A You never know what's gonna.

21 Q Okay. So after the robbery these conversations
22 that you had with him, did you record them or are they
23 saved in, you know, somewhere?

24 A Um.

25 Q I'm sorry, but while he's scooted on the run. You

1 said - -

2 A I remember he called me like at eleven, eleven or
3 two in the morning or something, eleven o'clock or two
4 in the morning. And when he called me at home after,
5 and I was like damn it, you know?

6 Q You live by yourself?

7 A Yeah.

8 Q That's better than him waking your - -

9 A My dog.

10 Q - - wife up or your girlfriend at eleven or two in
11 the morning. Okay. So the Jail - - you talked to him
12 once in the Jail. There were other Officers present,
13 and it should be recorded, is what you're saying or you
14 think it was recorded?

15 A Yes.

16 Q You have some conversations with him on the phone.
17 Apparently he was giving information about Cade prior to
18 the robbery.

19 A Correct.

20 Q And you've only been a Key West cop like eight
21 years?

22 A Since September of 90, 9.

23 Q Seems longer.

24 A Sorry.

25 MR. WUNSCH: You showed up as an EMT a few times

1 before you were a cop, right?

2 A Yeah, paramedic.

3 MR. WUNSCH: (unintelligible)

4 A No, only one. That was with, what's his name,
5 Ricky Farrell.

6 MR. WUNSCH: Yeah, that's exactly right. Rick's
7 just going (unintelligible).

8 A Ricky - - look I still have the mark where he bit
9 me, right there.

10 MR. ROTOLO: He bit you?

11 A He bit me, and I made him prettier one time when he
12 showed up at the Station and tried to fight.

13 Q Yeah, you were known for that.

14 A I only do that once, and you get known for it?
15 That's because he just talks a lot. I had never been in
16 a fight before that, so. And I was already 25, 26 years
17 old.

18 Q I'm just looking through the Affidavit for a minute
19 to see if I could see anything else I want to ask.
20

21 MR. WUNSCH: Have you seen Ricky by the way?

22 A Yeah.

23 MR. WUNSCH: He's, a matter of fact, going to check
24 into the Jail on the fifteenth of December, molesting a
25 (unintelligible).

1 A How do you molest a (unintelligible)?

2 Q (Unintelligible) Laughter

3 A Exactly how much you got there? (unintelligible)

4 But you know his leg, I thought he was going to - - he's

5 got, man, (unintelligible) he's walking, I saw him

6 walking.

7 MR. ROTOLO: Hey, wait, wait, wait, let's - -

8 MR. WUNSCH: Oh, we're on the record here.

9 A Oh, I'm sorry.

10 MR. WUNSCH: Disregard all that.

11 MR. ROTOLO: That's alright. Somewhere I thought I

12 saw a description of a guy with the turtleneck pulled up

13 over his face, and was there also something in here

14 about a bandana?

15 A Yup, there was one guy that had a bandana, I

16 remember.

17 Q So, okay, yeah. The assailant that collected the

18 jewelry wore a dark bandana. So somebody - - this

19 info's coming from the victims? They're describing two

20 different guys.

21 A It's my stuff.

22 MR. WUNSCH: Oh, is that yours?

23 A Yeah, but you can - -

24 MR. WUNSCH: Oh, okay, I'm sorry.

25 MR. ROTOLO: And other than that file - - I mean

1 there's a pretty vivid somewhat detailed description of
2 one guy in here but no real description of the other
3 guy, other than the bandana. I mean, is that because -
4 - why? Or do we know why?

5 A I believe that's the information they gave me. So
6 that's what I put down.

7 Q And that was given directly to you?

8 A Correct.

9 Q So when - - Shut it down after this, but when you
10 spoke to Omar in the Jail after his arrest on this case,
11 and after he was transported here, what was the gist of
12 the conversation? Was he trying to talk to you about
13 this robbery and other robberies as well?

14 A I remember that, you know, he wanted to talk to me,
15 and then when, when I went, you know, when I got to the
16 meat and potatoes of the whole thing, - -

17 Q He read his (unintelligible) - -

18 A Yeah, he started backing off.

19 Q Okay.

20 A He wanted to talk to me, and then something
21 happened. I don't know if it was when he found out that
22 Cade was in there, because he was asking, they were
23 asking questions. And then he, you know, totally like -

24 -

25 Q You mean he found out Cade was in the Jail or?

1 A Yeah. Something was going on.

2 Q Okay, but I mean you were asking questions and at
3 some point he just - -

4 A All of a sudden he just backed off.

5 Q Okay. I don't have anything more.

6 MR. WUNSCH: Let me ask one more thing, you might
7 have already answered. Did you ever go to the Jail to
8 talk to Cade?

9 A No, I didn't think, you know. I'm telling you when
10 Cade pulled that stunt over there, I didn't think what
11 was the point of me going anywhere near that
12 (unintelligible). You know, I mean obviously we're not
13 going to get along, you know.

14 MR. ROTOLO: Manny, do you have any questions?

15 MR. MADRUGA: No, thanks, I have no questions.

16 MR. ROTOLO: Do you want to read or waive?

17 THE WITNESS: Read.

18 (The witness was excused.)

19 (The deposition was concluded.)

20

21

22

23

24

25

CERTIFICATE

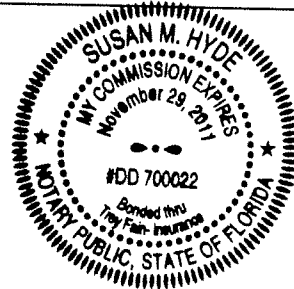
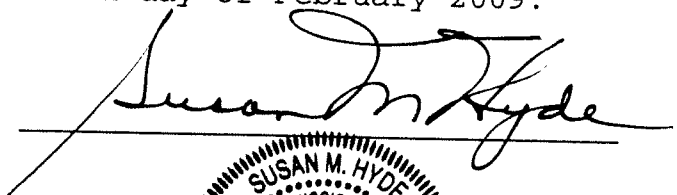
STATE OF FLORIDA)

COUNTY OF MONROE)

I, Susan M. Hyde, Notary Public, State of Florida at Large, do hereby certify that I was authorized to and did transcribe from audio recording the deposition of PABLO RODRIGUEZ, and that the foregoing pages numbered from 1 to 75, inclusive, constitute a true and correct transcript of said audio recording with any unintelligible areas duly noted.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 13th day of February 2009.



1 DANNY L. KOLHAGE
2 CLERK OF COURTS
3 500 WHITEHEAD STREET
4 KEY WEST, FLORIDA 33040

5

6 I HEREBY acknowledge receipt of the
7 TRANSCRIPT/TAPE OF: PABLO RODRIGUEZ
8 In STATE -vs- OMAR RICARDO BROWN and LAQUENTON CADE
9 CASE NUMBER: 06-CF-1071-K
10 PUBLIC DEFENDER: JOHN ROTOLO

11

12 Deputy Clerk

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15 Dated

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6

Cases by Name Listing Report

Search Criteria: brown, omar

FLMONROEPROD

*Includes cases with security groups

Party Name	Connection Type	Case Style	Case Number File Date	Case Type	Judge	Statistical Closure S. Closure Date
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	03-CF-3071-K-A 10/04/2006	Felony	Jones, Mark	ROBBERY THEFT
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	06-MM-1539-K 05/31/2006	Misdemeanor - Notice To Appear	Fowler, Peary S	POSS/SELL CNTR SUBST
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	05-CF-3071-K 02/01/2006	Felony	Jones, Mark	SEE FRAUD SUBST AS CNTR SUBS
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	03-CF-254-M (MARATHON) 01/07/2004	Felony	Becker, Ruth TAMPER EVID	POSS L/T 20 G MARIJ
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	96-CF-30437-K 07/18/1997	Felony	Payne, Richard G	POSS/SELL CNTR SUBST X
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	97-CF-30257-K 07/18/1997	Felony	Payne, Richard G	POSS/SELL CNTR SUBST X
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	96-CF-30247-K 05/19/1996	Felony	Payne, Richard G	POSS/SELL CNTR SUBST X
BROWN, OMAR	Defendant	STATE OF FLORIDA VS. OMAR BROWN	96-CF-583-K 05/15/1996	Felony	Jones, Mark	POSS/SELL CNTR SUBST X
BROWN, OMAR RICARDO	Defendant	STATE OF FLORIDA VS. OMAR RICARDO BROWN	03-188-482-K 03/10/2006	Misdemeanor	Miller, Wayne	SELL-MAN-DEL-TRFFC DRUGS RAWOLV POSS L/T 20 G MARIJ
BROWN, OMAR RICARDO	Defendant	STATE OF FLORIDA VS. OMAR RICARDO BROWN	05-CT-1788-K 06/07/2005	Criminal Traffic	Fowler, Peary S	DWLS
BROWN, OMAR RICARDO	Defendant	STATE OF FLORIDA VS. OMAR RICARDO BROWN	02-CF-444-K 05/01/2002	Felony	Miller, Wayne	POSS/SELL CNTR SUBST X
BROWN, OMAR RICARDO	Defendant	STATE OF FLORIDA VS. OMAR RICARDO BROWN	02-CF-446-K 04/10/2002	Felony	Payne, Richard G	POSS/SELL CNTR SUBST X

Cases by Name Listing Report

FLMONROEPROD

Search Criteria: brown, omar

*Includes cases with security groups

Defendant	State of Florida vs. Omar	82-CF-445-K	Felony	Payor: Richard G
BROWN, OMAR RODRIGO	ROCARDO BROWN	041022002		POSS/BELL CNTR SUBST Y Z

Total Count: 13

Grand Total: 13

7



M.C.S.O. Arrest Search Results by Name

As of Tuesday, March 10, 2009 at 09:20

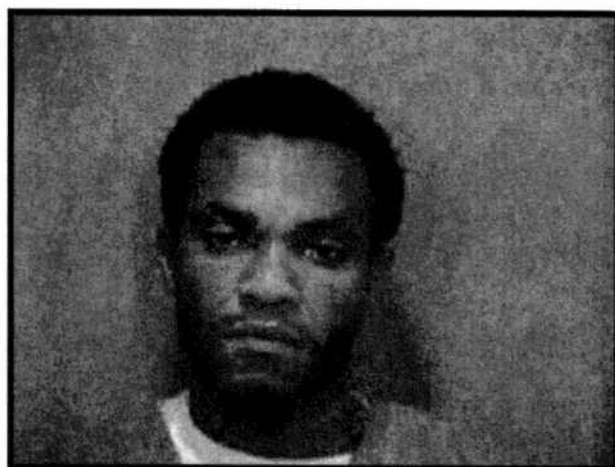


Remember: The person or people shown on these pages have been arrested, but **have NOT been found guilty in a court of law.**

For case dispositions, and for detailed information on criminal and civil court cases, visit the Monroe County Clerk of the Courts web site.

For information on court dates and judges calendars, visit the 16th Judicial State Courts web site.

Please note that this information is inclusive from January 1, 2001.



BROWN, OMAR RICARDO

DoB:11/04/1977 Age:24 Sex:M Race:B

Arrest Date: **04/09/2002** CAD #: Arrest #: **MCSO02ARR003634** Offense #:
KWPD020FF024308

Address:

917 CENTER ST, KEY WEST, FL 33040

Occupation:

MCSO00MNI425744

Arrest Location: **BLOCK PETRONIA STREET KEY WEST, 200**

Charges:

3 Felony Count(s) of **893.13.1a1**

SCHEDULE II COCAINE-SELL**3 Felony Count(s) of 893.13.1c1****WIT SELL MFG DELIVER WI 1000 FT SCH SCHED II COCAINE-POSSESS****Officer/Agency: KWPD - KWPD Bond Amount: \$0****Arrest Date: 12/21/2003 CAD #: Arrest #: MCSO03ARR010588 Offense #:****FHPE03088039535****Address:****917 CENTER ST, KEY WEST, FL 33040****Occupation:****MCSO00MNI425744****Arrest Location: SR 5 MARATHON, MM47****Charges:****1 Misdemeanor Count(s) of 893.13.6b****NOT MORE THAN 20 GRAMS MARIJUANA-POSSESS****1 Felony Count(s) of 918.13.****EVIDENCE-DESTROYING - TAMPER WITH OR FABRICATE PHYSICAL****Officer/Agency: FHP - Bond Amount: \$0****Arrest Date: 05/24/2005 CAD #: Arrest #: MCSO05ARR004748 Offense #:****KWPD05OFF5494****Address:****917 CENTER ST, KEY WEST, FL 33040****Occupation:****MCSO00MNI425744****Arrest Location: SOUTH ST AND THOMPSON STREET KEY WEST,****Charges:****1 Unknown Count(s) of 322.34.2****OPERATE WHILE SUSP/CANC/REVOKED-W/KNOWLEDGE****Officer/Agency: KWPD - KWPD Bond Amount: \$0****Arrest Date: 02/25/2006 CAD #: MCSO06CAD019498 Arrest #:****MCSO06ARR001807 Offense #: MCSO06OFF001868****Address:****917 CENTER ST, KEY WEST, FL 33040****Occupation:****MCSO00MNI425744****Arrest Location: 5 AVE STOCK ISLAND, 5031****Charges:****1 Misdemeanor Count(s) of 843.02.****RESIST OFFICER - OBSTRUCT WO VIOLENCE****1 Misdemeanor Count(s) of 893.13.1a2****LESS THAN 20 GRAMS****Officer/Agency: 1119 - MCSO\ROAD PATROL - SECTOR 1 Bond Amount: \$0****Arrest Date: 02/25/2006 CAD #: MCSO06CAD019498 Arrest #:****MCSO05ARR008230 Offense #: MCSO06OFF001868****Address:****917 CENTER ST, KEY WEST, FL 33040****Occupation:****MCSO00MNI425744****Arrest Location: ,**

Charges:

1 Misdemeanor Count(s) of **322.03**.**NONMOVING TRAFFIC VIOL - OPERATE MOTOR VEHICLE WITH
LICENSE EXPIRED**Officer/Agency: **1111 - MCSO\ROAD PATROL - SECTOR 1** Bond Amount:
\$2000Arrest Date: **02/25/2006** CAD #: **MCSO06CAD019498** Arrest #:**MCSO05ARR006113** Offense #: **MCSO06OFF001868**

Address:

917 CENTER ST, KEY WEST, FL 33040

Occupation:

MCSO00MNI425744

Arrest Location: ,

Charges:

1 Felony Count(s) of **817.563**.**DRUGS MISBRANDED - SELL IN LIEU OF SCHED I II III IV CNTRL SUBS**Officer/Agency: **1111 - MCSO\ROAD PATROL - SECTOR 1** Bond Amount:
\$50000Arrest Date: **06/07/2006** CAD #: Arrest #: **MCSO06ARR004954** Offense #:

Address:

917 CENTER ST, KEY WEST, FL 33040

Occupation:

MCSO00MNI425744Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

1 Misdemeanor Count(s) of **843.15.1b****FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**Officer/Agency: **KWPD - KWPD** Bond Amount: **\$10000**Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:**MCSO06ARR007680** Offense #: **MCSO06OFF010457**

Address:

917 CENTER ST, KEY WEST, FL 33040

Occupation:

MCSO00MNI425744Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

1 Felony Count(s) of **812.014.2c****LARC - OVER 300 DOLLARS UNDER 20000 DOLLARS****1 Felony** Count(s) of **812.13.2b****ROBBERY - WITH WEAPON**Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$250000**Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:**MCSO06ARR007906** Offense #: **MCSO06OFF010457**

Address:

917 CENTER ST, KEY WEST, FL 33040

Occupation:

MCSO00MNI425744Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

1 Misdemeanor Count(s) of 843.15.1b FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE Officer/Agency: D622 - MCSO\CORRECTIONS Bond Amount: \$20000
Arrest Date: 11/15/2006 CAD #: MCSO06CAD110208 Arrest #: MCSO06ARR007854 Offense #: MCSO06OFF010457 Address: 917 CENTER ST, KEY WEST, FL 33040 Occupation: MCSO00MNI425744 Arrest Location: COLLEGE RD STOCK ISLAND, 5501 Charges: 1 Felony Count(s) of 843.15.1a FAILURE TO APPEAR FOR FELONY OFFENSE Officer/Agency: D622 - MCSO\CORRECTIONS Bond Amount: \$100000
Arrest Date: 11/15/2006 CAD #: MCSO06CAD110208 Arrest #: MCSO06ARR008982 Offense #: MCSO06OFF010457 Address: 917 CENTER ST, KEY WEST, FL 33040 Occupation: MCSO00MNI425744 Arrest Location: COLLEGE RD STOCK ISLAND, 5501 Charges: 1 Misdemeanor Count(s) of 843.15.1b FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE Officer/Agency: D622 - MCSO\CORRECTIONS Bond Amount: \$20000
Arrest Date: 11/15/2006 CAD #: MCSO06CAD110208 Arrest #: MCSO06ARR007905 Offense #: MCSO06OFF010457 Address: 917 CENTER ST, KEY WEST, FL 33040 Occupation: MCSO00MNI425744 Arrest Location: COLLEGE RD STOCK ISLAND, 5501 Charges: 1 Misdemeanor Count(s) of 843.15.1b FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE Officer/Agency: D622 - MCSO\CORRECTIONS Bond Amount: \$20000

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Traffic/Criminal Case Detail Information

<p>Defendant Name</p> <p>BROWN, OMAR</p> <p>Case Number</p> <p>CFK061071-</p> <p>Defense Attorney</p> <p>PRO, SE PRO, SE</p>	<p>Date of Birth</p> <p>12/26/1974</p> <p>Uniform Case Number</p> <p>442006CF001071000AKW</p> <p>Judge</p> <p>Jones, Mark</p>
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Scheduled Court Appearances

Date	Time	Location/Court Room	Description
12/7/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	ARRAIGNMENT
12/7/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	ARRAIGNMENT
12/7/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	ARRAIGNMENT
12/7/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	ARRAIGNMENT
12/22/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
12/22/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
12/22/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
12/22/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
1/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/31/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/31/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/31/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
	1/1/1900		

1/31/2007	8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
2/8/2007	1/1/1900 10:30:00 AM	KW COURTROOM B	MOTION
2/8/2007	1/1/1900 10:30:00 AM	KW COURTROOM B	MOTION
2/8/2007	1/1/1900 10:30:00 AM	KW COURTROOM B	MOTION
2/8/2007	1/1/1900 10:30:00 AM	KW COURTROOM B	MOTION
2/22/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
2/22/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
2/22/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
2/22/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
3/2/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/2/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/2/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/2/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/28/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/28/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/28/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/28/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/4/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/4/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/4/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/4/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
6/29/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
6/29/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL

6/29/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
6/29/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/1/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/1/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/1/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/1/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/28/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/28/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/28/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/28/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/30/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
1/30/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
1/30/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
1/30/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/5/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/5/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/5/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/5/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL

1/1/1900

3/28/2008	8:45:00 AM		MOTION
3/28/2008	1/1/1900 8:45:00 AM		MOTION
3/28/2008	1/1/1900 8:45:00 AM		MOTION
3/28/2008	1/1/1900 8:45:00 AM		MOTION
4/9/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
4/9/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
4/9/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
4/9/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/15/2008	1/1/1900 10:30:00 AM		MOTION
5/15/2008	1/1/1900 10:30:00 AM		MOTION
5/15/2008	1/1/1900 10:30:00 AM		MOTION
5/15/2008	1/1/1900 10:30:00 AM		MOTION
5/28/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
5/28/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
5/28/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
5/28/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
6/13/2008	1/1/1900 10:30:00 AM		MOTION
6/13/2008	1/1/1900 10:30:00 AM		MOTION
6/13/2008	1/1/1900 10:30:00 AM		MOTION
6/13/2008	1/1/1900 10:30:00 AM		MOTION
7/2/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/2/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/2/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL

7/2/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/18/2008	1/1/1900 8:45:00 AM		MOTION
7/18/2008	1/1/1900 8:45:00 AM		MOTION
7/18/2008	1/1/1900 8:45:00 AM		MOTION
7/18/2008	1/1/1900 8:45:00 AM		MOTION
7/30/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/30/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/30/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/30/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/22/2008	1/1/1900 8:45:00 AM		MOTION
8/22/2008	1/1/1900 8:45:00 AM		MOTION
8/22/2008	1/1/1900 8:45:00 AM		MOTION
8/22/2008	1/1/1900 8:45:00 AM		MOTION
10/1/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/1/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/1/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/1/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/20/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
10/20/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
10/20/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
10/20/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
11/5/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL

1/1/1900

11/5/2008	8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/5/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/5/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/17/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
11/17/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
11/17/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
11/17/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
12/3/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
12/3/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
12/3/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
12/3/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
12/15/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
12/15/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
12/15/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
12/15/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
1/6/2009	1/1/1900 10:00:00 AM		PRE TRIAL/CRIMINAL
1/6/2009	1/1/1900 10:00:00 AM		PRE TRIAL/CRIMINAL
1/6/2009	1/1/1900 10:00:00 AM		PRE TRIAL/CRIMINAL
1/6/2009	1/1/1900 10:00:00 AM		PRE TRIAL/CRIMINAL
2/9/2009	1/1/1900 9:30:00 AM		TRIAL/FELONY
2/9/2009	1/1/1900 9:30:00 AM		TRIAL/FELONY
2/9/2009	1/1/1900 9:30:00 AM		TRIAL/FELONY
2/9/2009	1/1/1900 9:30:00 AM		TRIAL/FELONY

2/17/2009	1/1/1900 10:00:00 AM	CF - PRETRIAL / CRIMINAL
2/17/2009	1/1/1900 10:00:00 AM	CF - PRETRIAL / CRIMINAL
2/17/2009	1/1/1900 10:00:00 AM	CF - PRETRIAL / CRIMINAL
2/17/2009	1/1/1900 10:00:00 AM	CF - PRETRIAL / CRIMINAL
3/24/2009	1/1/1900 9:45:00 AM	CF - PRETRIAL / CRIMINAL
3/24/2009	1/1/1900 9:45:00 AM	CF - PRETRIAL / CRIMINAL
3/24/2009	1/1/1900 9:45:00 AM	CF - PRETRIAL / CRIMINAL
3/24/2009	1/1/1900 9:45:00 AM	CF - PRETRIAL / CRIMINAL
4/13/2009	1/1/1900 9:30:00 AM	CF - TRIAL / FELONY
4/13/2009	1/1/1900 9:30:00 AM	CF - TRIAL / FELONY
4/13/2009	1/1/1900 9:30:00 AM	CF - TRIAL / FELONY
4/13/2009	1/1/1900 9:30:00 AM	CF - TRIAL / FELONY

Charges

Offense Date	Statute Code	Statute Description	Date	Disposition
9/2/2006	812.13(1)	ROBBERY		Filed
9/2/2006	812.014	THEFT		No Action Taken By State

Docket Information

Date	Time	Description	Text
3/4/2009		SUBPEONA RET SERVED	DIANNE LIPINSKI
3/4/2009		SUBPEONA RET SERVED	ROBERT SUNDERMAN
3/4/2009		LETTER FROM DEFENDANT	
3/4/2009		SUBPEONA RET SERVED	DIANNE LIPINSKI
3/4/2009		SUBPEONA RET SERVED	ROBERT SUNDERMAN
3/4/2009		LETTER FROM DEFENDANT	
2/25/2009		Order Granting Pretrial Continuance	
2/25/2009		Deposition of	P.RODRIGUEZ
2/25/2009		Pretrial Court Minutes	MINUTES OF FEB 17
2/25/2009		Order Granting Pretrial Continuance	

2/25/2009	Deposition of	P.RODRIGUEZ
2/25/2009	Pretrial Court Minutes	MINUTES OF FEB 17
2/24/2009	Notice of Taking Deposition	D.LIPINSKI/R.SUNDERMAN
2/24/2009	Notice of Taking Deposition	D.LIPINSKI/R.SUNDERMAN
2/18/2009	Stipulated Motion to Continue	
2/18/2009	Stipulated Motion to Continue	
1/16/2009	Deposition of	D.GUEVREMONT
1/16/2009	Deposition of	D.GUEVREMONT
1/13/2009	Pretrial Court Minutes	1/6/09 pre-trial
1/13/2009	Pretrial Court Minutes	1/6/09 pre-trial
1/8/2009	Order Granting Pretrial Continuance	
1/8/2009	Order Granting Pretrial Continuance	
1/7/2009	Stipulated Motion to Continue	
1/7/2009	Stipulated Motion to Continue	
1/7/2009	Stipulated Motion to Continue	
1/7/2009	Stipulated Motion to Continue	
12/23/2008	Amended Witness List	
12/23/2008	Supplemental Discovery Response	
12/23/2008	Amended Witness List	
12/23/2008	Supplemental Discovery Response	
12/18/2008	Amended Witness List	
12/18/2008	Amended Witness List	
12/12/2008	Deposition of	OF DET.D.LIPINSKI
12/12/2008	Deposition of	DET.D,LIPINSKI
12/12/2008	Deposition of	OF DET.D.LIPINSKI
12/12/2008	Deposition of	DET.D,LIPINSKI
12/9/2008	Order Granting Pretrial Continuance	
12/9/2008	Pretrial Court Minutes	
12/9/2008	Order Granting Pretrial Continuance	
12/9/2008	Pretrial Court Minutes	
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R. SUNDERMAN
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC P. RODRIGUEZ
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R. SUNDERMAN
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC P. RODRIGUEZ

12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
11/17/2008	Notice of Taking Deposition	R.SUNDERMAN/OFC.P.RODRIGUEZ/DET.D.LIPINSKI
11/17/2008	Notice of Taking Deposition	R.SUNDERMAN/OFC.P.RODRIGUEZ/DET.D.LIPINSKI
11/12/2008	Pretrial Court Minutes	MINUTES FROM NOV 5 PRE-TRIAL
11/12/2008	Pretrial Court Minutes	MINUTES FROM NOV 5 PRE-TRIAL
11/6/2008	Order Granting Pretrial Continuance	
11/6/2008	Order Granting Pretrial Continuance	
10/24/2008	SUBPEONA RET SERVED	OFC R. SUNDERMAN
10/24/2008	SUBPEONA RET SERVED	OFC R. SUNDERMAN
10/22/2008	SUBPEONA RET SERVED	OFC J. VALDES
10/22/2008	SUBPEONA RET SERVED	OFC P. RODRIGUEZ
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	CLARA WHITT
10/22/2008	Supplemental Discovery Response	
10/22/2008	SUBPEONA RET SERVED	OFC J. VALDES
10/22/2008	SUBPEONA RET SERVED	OFC P. RODRIGUEZ
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	CLARA WHITT
10/22/2008	Supplemental Discovery Response	
10/17/2008	Deposition of	CAROLYN SMITH
10/17/2008	Deposition of	REBECCA KASPER
10/17/2008	Deposition of	JOSEPH LARIZ
10/17/2008	Deposition of	FRANK ZAMORA
10/17/2008	Deposition of	TOM NEARY
10/17/2008	Deposition of	ALVARO RODRIGUEZ
10/17/2008	Deposition of	CAROLYN SMITH
10/17/2008	Deposition of	REBECCA KASPER
10/17/2008	Deposition of	JOSEPH LARIZ
10/17/2008	Deposition of	FRANK ZAMORA
10/17/2008	Deposition of	TOM NEARY
10/17/2008	Deposition of	ALVARO RODRIGUEZ
10/7/2008	Notice of Taking Deposition	CLARA WHITT
10/7/2008	Notice of Taking Deposition	DET D. LIPINSKI OFC P. RODRIGUEZ OFC R. SUNDERMAN OFC J. VALDES
10/7/2008	Notice of Taking Deposition	CLARA WHITT
10/7/2008	Notice of Taking Deposition	DET D. LIPINSKI OFC P. RODRIGUEZ OFC R.

		SUNDERMAN OFC J. VALDES
10/6/2008	Order Granting Pretrial Continuance	
10/6/2008	MOTION COURT MINUTES *	
10/6/2008	Order Granting Pretrial Continuance	
10/6/2008	MOTION COURT MINUTES *	
10/3/2008	Pretrial Court Minutes	10/1 Pretrial minutes cont to 10/6
10/3/2008	Pretrial Court Minutes	10/1 Pretrial minutes cont to 10/6
9/5/2008	SUB RET UNSERVED <*M/DD/YYYY>	SUBP. MS. CLARA WHITT
9/5/2008	SUB RET UNSERVED <*M/DD/YYYY>	SUBP. MS. CLARA WHITT
9/3/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R SUNDERMAN
9/3/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R SUNDERMAN
9/2/2008	SUBPEONA RET SERVED	C SMITH
9/2/2008	SUBPEONA RET SERVED	C SMITH
8/28/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Jimmy Valdes
8/28/2008	SUBPEONA RET SERVED	Ofc. Pablo Rodriguez
8/28/2008	SUBPEONA RET SERVED	Ofc. Donald Guevremont
8/28/2008	SUBPEONA RET SERVED	Det. Dianne Lipinski
8/28/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Jimmy Valdes
8/28/2008	SUBPEONA RET SERVED	Ofc. Pablo Rodriguez
8/28/2008	SUBPEONA RET SERVED	Ofc. Donald Guevremont
8/28/2008	SUBPEONA RET SERVED	Det. Dianne Lipinski
8/22/2008	Amended Witness List	
8/22/2008	MOTION COURT MINUTES *	
8/22/2008	Amended Witness List	
8/22/2008	MOTION COURT MINUTES *	
8/13/2008	Notice of Taking Deposition	Carolyn Smith/ Clara Whitt/ Det. Dianne Lipinski
8/13/2008	Notice of Taking Deposition	Ofc. Donald Guervremont/ Ofc. Robert Sunderman/ Ofc. Jimmy Valdes/ Ofc. Pablo Rodriguez
8/13/2008	Notice of Taking Deposition	Carolyn Smith/ Clara Whitt/ Det. Dianne Lipinski
8/13/2008	Notice of Taking Deposition	Ofc. Donald Guervremont/ Ofc. Robert Sunderman/ Ofc. Jimmy Valdes/ Ofc. Pablo Rodriguez
8/1/2008	Order Granting Pretrial Continuance	
8/1/2008	Pretrial Court Minutes	
8/1/2008	Order Granting Pretrial Continuance	
8/1/2008	Pretrial Court Minutes	
7/21/2008	ORDER *	TO COMPEL A BETTER ADDRESS

7/21/2008	ORDER *	TO COMPEL A BETTER ADDRESS
7/18/2008	MOTION COURT MINUTES *	Motion to Compel Better Address Held/SAO 15 days to provide
7/18/2008	ORDER *	to Compel a Better Address
7/18/2008	ORDER GRANTING *	TO COMPEL A BETTER ADDRESS
7/18/2008	MOTION COURT MINUTES *	Motion to Compel Better Address Held/SAO 15 days to provide
7/18/2008	ORDER *	to Compel a Better Address
7/18/2008	ORDER GRANTING *	TO COMPEL A BETTER ADDRESS
7/16/2008	SUBPEONA RET SERVED	Carolyn Smith
7/16/2008	SUBPEONA RET SERVED	Carolyn Smith
7/9/2008	MOTION *	to Compel a Better Address
7/9/2008	NOTICE OF HEARING *	on 07/18/08 at 0845 am
7/9/2008	MOTION *	to Compel a Better Address
7/9/2008	NOTICE OF HEARING *	on 07/18/08 at 0845 am
7/3/2008	Pretrial Court Minutes	
7/3/2008	Pretrial Court Minutes	
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Maria Denise Terrell
7/2/2008	SUBPEONA RET SERVED	Rebecca Kasper
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Dominic Christopher Terrell
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Kiefa Kianta Edgerton
7/2/2008	Order Granting Pretrial Continuance	
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Maria Denise Terrell
7/2/2008	SUBPEONA RET SERVED	Rebecca Kasper
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Dominic Christopher Terrell
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Kiefa Kianta Edgerton
7/2/2008	Order Granting Pretrial Continuance	
6/27/2008	SUBPEONA RET SERVED	Ofc. Pablo D Rodriguez
6/27/2008	SUBPEONA RET SERVED	Ofc. Pablo D Rodriguez
6/18/2008	ORDER TO SHOW CAUSE *	
6/18/2008	ORDER TO SHOW CAUSE *	
6/16/2008	Deposition of	Garfield Williams
6/16/2008	Deposition of	Garfield Williams
6/13/2008	Notice of Taking Deposition	Ofc. Pablo D Rodriguez/Dominic Christopher Terrell/ Maria Denise Terrell
6/13/2008	Notice of Taking Deposition	Kiefa Kianta Edgerton/Rebecca Kasper/Carolyn Smith

6/13/2008	MOTION COURT MINUTES *	Rule to Show Cause
6/13/2008	Notice of Taking Deposition	Ofc. Pablo D Rodriguez/Dominic Christopher Terrell/ Maria Denise Terrell
6/13/2008	Notice of Taking Deposition	Kiefa Kianta Edgerton/Rebecca Kasper/Carolyn Smith
6/13/2008	MOTION COURT MINUTES *	Rule to Show Cause
6/12/2008	SUBPEONA RET SERVED	Ofc. Tom Neary
6/12/2008	SUBPEONA RET SERVED	Ofc. Tom Neary
6/3/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
6/3/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
6/3/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
6/3/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
6/3/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
6/3/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
5/30/2008	ORDER *	on Petition for Rule to Show Cause/Ofc. A Rodriguez
5/30/2008	ORDER *	on Petition for Rule to Show Cause/Ofc. A Rodriguez
5/28/2008	Pretrial Court Minutes	
5/28/2008	Order Granting Pretrial Continuance	
5/28/2008	ORDER *	on Petition for Rule to Show Cause/Served/Ofc. Neary
5/28/2008	Pretrial Court Minutes	
5/28/2008	Order Granting Pretrial Continuance	
5/28/2008	ORDER *	on Petition for Rule to Show Cause/Served/Ofc. Neary
5/27/2008	Notice of Taking Deposition	Issued/ Tom Neary
5/27/2008	Notice of Taking Deposition	Issued/ Tom Neary
5/19/2008	SUBPEONA RET SERVED	Ofc. Robert Sunderman
5/19/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Tom Neary
5/19/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
5/19/2008	SUBPEONA RET SERVED	Ofc. Joseph Bradley Lariz
5/19/2008	SUBPEONA RET SERVED	Ofc. Donald L. Guevremont
5/19/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
5/19/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
5/19/2008	SUBPEONA RET SERVED	Ofc. Alvaro Rodriguez
5/19/2008	SUBPEONA RET SERVED	Ofc. Robert Sunderman
5/19/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Tom Neary
5/19/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
5/19/2008	SUBPEONA RET SERVED	Ofc. Joseph Bradley Lariz
5/19/2008	SUBPEONA RET SERVED	Ofc. Donald L. Guevremont
5/19/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
5/19/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski

5/19/2008	SUBPEONA RET SERVED	Ofc. Alvaro Rodriguez
5/16/2008	Notice of Taking Deposition	Det. Dianne M Lipinski/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/16/2008	Notice of Taking Deposition	Det. Dianne M Lipinski/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/15/2008	MOTION COURT MINUTES *	for Petition to Show Cause
5/15/2008	MOTION COURT MINUTES *	for Petition to Show Cause
5/12/2008	NOTICE OF HEARING *	on 05/15/08 at 1030 am
5/12/2008	NOTICE OF HEARING *	on 05/15/08 at 1030 am
5/8/2008	Notice of Taking Deposition	Ofc. Donald L. Guevremont/Ofc. Joseph Bradley Lariz/Det. Dianne M Lipinski/Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/8/2008	Notice of Taking Deposition	Ofc. Donald L. Guevremont/Ofc. Joseph Bradley Lariz/Det. Dianne M Lipinski/Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/2/2008	PETITION *	for Rule to Show Cause
5/2/2008	PETITION *	for Rule to Show Cause
4/17/2008	LETTER FROM DEFENDANT	
4/17/2008	LETTER FROM DEFENDANT	
4/16/2008	Order Granting Continuance	
4/16/2008	Order Granting Continuance	
4/9/2008	Pretrial Court Minutes	
4/9/2008	Pretrial Court Minutes	
4/3/2008	Deposition of	OFC.T.BULNES
4/3/2008	Deposition of	OFC.T.BULNES
3/31/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC.R.SUNDERMAN
3/31/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC.R.SUNDERMAN
3/28/2008	SUBPEONA RET SERVED	DET.J.TORRES
3/28/2008	SUBPEONA RET SERVED	OFC.A.RODRIGUEZ
3/28/2008	SUBPEONA RET SERVED	OFC.T.NEARY
3/28/2008	SUBPEONA RET SERVED	SGT.F.ZAMORA
3/28/2008	SUBPEONA RET SERVED	SGT.G.WILLIAMS
3/28/2008	MOTION COURT MINUTES *	for PTS Release/denied
3/28/2008	SUBPEONA RET SERVED	DET.J.TORRES
3/28/2008	SUBPEONA RET SERVED	OFC.A.RODRIGUEZ

3/28/2008	SUBPEONA RET SERVED	OFC.T.NEARY
3/28/2008	SUBPEONA RET SERVED	SGT.F.ZAMORA
3/28/2008	SUBPEONA RET SERVED	SGT.G.WILLIAMS
3/28/2008	MOTION COURT MINUTES *	for PTS Release/denied
3/20/2008	Deposition of	Det. Sgt. Bernardo Barrios
3/20/2008	Deposition of	Det. Janet Delcid
3/20/2008	Deposition of	Ofc. Monica Diaz
3/20/2008	Deposition of	Det. Sgt. Bernardo Barrios
3/20/2008	Deposition of	Det. Janet Delcid
3/20/2008	Deposition of	Ofc. Monica Diaz
3/18/2008	Notice of Taking Deposition	Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Det. Juan Ramon Torres/Sgt. Garfield E Williams/Sgt. Frank Zamora
3/18/2008	Notice of Taking Deposition	Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Det. Juan Ramon Torres/Sgt. Garfield E Williams/Sgt. Frank Zamora
3/11/2008	Order Granting Pretrial Continuance	
3/11/2008	Order Granting Pretrial Continuance	
3/10/2008	MOTION *	for PreTrial Release
3/10/2008	NOTICE OF HEARING *	on 03/28/08 at 0845 am
3/10/2008	MOTION *	for PreTrial Release
3/10/2008	NOTICE OF HEARING *	on 03/28/08 at 0845 am
3/5/2008	Pretrial Court Minutes	
3/5/2008	Pretrial Court Minutes	
2/11/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
2/11/2008	SUBPEONA RET SERVED	Ofc. Robert Bulnes
2/11/2008	SUBPEONA RET SERVED	Ofc. J. Delcid
2/11/2008	SUBPEONA RET SERVED	Ofc. Monica Diaz
2/11/2008	SUBPEONA RET SERVED	Det. Bernardo Barrios
2/11/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
2/11/2008	SUBPEONA RET SERVED	Ofc. Robert Bulnes
2/11/2008	SUBPEONA RET SERVED	Ofc. J. Delcid
2/11/2008	SUBPEONA RET SERVED	Ofc. Monica Diaz
2/11/2008	SUBPEONA RET SERVED	Det. Bernardo Barrios
1/31/2008	Order Granting Pretrial Continuance	
1/31/2008	Order Granting Pretrial Continuance	
1/30/2008	Pretrial Court Minutes	
1/30/2008	Notice of Taking Deposition	Det. Bernardo Barrios/Ofc. Robert Bulnes/Ofc. J Delcid/Ofc. Monica Diaz/Det. Dianne Lipinski
1/30/2008	Pretrial Court Minutes	

1/30/2008	Notice of Taking Deposition	Det. Bernardo Barrios/Ofc. Robert Bulnes/Ofc. J Delcid/Ofc. Monica Diaz/Det. Dianne Lipinski
1/17/2008	Deposition of	Det. Dianne M. Lipinski
1/17/2008	Deposition of	Det. Dianne M. Lipinski
12/4/2007	Order Granting Pretrial Continuance	
12/4/2007	Order Granting Pretrial Continuance	
12/4/2007	Order Granting Pretrial Continuance	
12/4/2007	Order Granting Pretrial Continuance	
11/28/2007	Pretrial Court Minutes	
11/28/2007	Pretrial Court Minutes	
10/15/2007	Order Granting Pretrial Continuance	
10/15/2007	Order Granting Pretrial Continuance	
10/9/2007	SUBPEONA RET SERVED	OFC.J.DELCID-10/9/07
10/9/2007	SUBPEONA RET SERVED	DET.D.LIPINSKI-10/9/07
10/9/2007	SUBPEONA RET SERVED	OFC.J.DELCID-10/9/07
10/9/2007	SUBPEONA RET SERVED	DET.D.LIPINSKI-10/9/07
10/3/2007	Pretrial Court Minutes	
10/3/2007	Pretrial Court Minutes	
9/21/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J DELCID/DET. DIANNE M LIPINSKI
9/21/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J DELCID/DET. DIANNE M LIPINSKI
8/15/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
8/15/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
8/8/2007	-	PRETRIAL HEARING <10/03/2007> 08:45 A.M.
8/8/2007	-	JURY TRIAL SET <10/15/2007> 08:45 A.M.
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
8/8/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/DET. DIANNE LIPINSKI
8/8/2007	-	PRETRIAL HEARING <10/03/2007> 08:45 A.M.
8/8/2007	-	JURY TRIAL SET <10/15/2007> 08:45 A.M.
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
8/8/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/DET. DIANNE LIPINSKI
8/1/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES

8/1/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
7/24/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J. DELCID/DET. DIANNE LIPINSKI/SUB ISSUE
7/24/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J. DELCID/DET. DIANNE LIPINSKI/SUB ISSUE
7/23/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
7/23/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
7/16/2007	-	RE-NOTICE OF TAKING DEPOSITION/OFC. J. DELCID/OFC. MONICA DIAZ/DET. DI / ANNE M LIPINSKI
7/16/2007	-	RE-NOTICE OF TAKING DEPOSITION/OFC. J. DELCID/OFC. MONICA DIAZ/DET. DI / ANNE M LIPINSKI
7/10/2007	-	JURY TRIAL SET <08/13/2007> 08:45 A.M.
7/10/2007	-	PRETRIAL HEARING <08/01/2007> 08:45 A.M.
7/10/2007	-	JURY TRIAL SET <08/13/2007> 08:45 A.M.
7/10/2007	-	PRETRIAL HEARING <08/01/2007> 08:45 A.M.
7/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
7/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
6/29/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
6/29/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
6/27/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
6/27/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /NOT SERVED/DET. DIANNE LIPINSKI
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. MONICA DIAZ
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /NOT SERVED/DET. DIANNE LIPINSKI
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. MONICA DIAZ
5/18/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/OFC. J. DELCID/OFC. MONICA DIAZ/DET. D / IANNE LIPINSKI
5/18/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/OFC. J. DELCID/OFC. MONICA DIAZ/DET. D / IANNE LIPINSKI
5/16/2007	-	WITNESS LIST

5/16/2007	-	WITNESS LIST
5/9/2007	-	PRETRIAL HEARING <06/29/2007> 01:00 P.M.
5/9/2007	-	JURY TRIAL SET <07/23/2007> 08:45 A.M.
5/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
5/9/2007	-	PRETRIAL HEARING <06/29/2007> 01:00 P.M.
5/9/2007	-	JURY TRIAL SET <07/23/2007> 08:45 A.M.
5/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
5/4/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
5/4/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
4/3/2007	DEPO *	DEPO (TELEPHONIC) OF OFC. GEORGE VILLAREAL
4/3/2007	DEPO *	DEPO OF EVELING DARCE (TELEPHONIC)
4/3/2007	DEPO *	DEPO (TELEPHONIC) OF OFC. GEORGE VILLAREAL
4/3/2007	DEPO *	DEPO OF EVELING DARCE (TELEPHONIC)
3/29/2007	-	JURY TRIAL SET <05/14/2007> 08:45 A.M.
3/29/2007	-	PRETRIAL HEARING <05/04/2007> 01:00 P.M.
3/29/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/29/2007	-	JURY TRIAL SET <05/14/2007> 08:45 A.M.
3/29/2007	-	PRETRIAL HEARING <05/04/2007> 01:00 P.M.
3/29/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/28/2007	Conversion: Bond Information	Bond Amount: 250000.0
3/28/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/28/2007	Conversion: Bond Information	Bond Amount: 250000.0
3/28/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/22/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
3/22/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
3/21/2007	-	DEFENDANT'S DEMAND FOR DISCOVERY
3/21/2007	-	DEFENDANT'S DEMAND FOR DISCOVERY
3/20/2007	-	ORDER STRIKING DEFENDANT'S, PRO-SE, MOTION TO BE HEARD
3/20/2007	-	ORDER STRIKING DEFENDANT'S, PRO-SE, MOTION TO BE HEARD
3/12/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/12/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/9/2007	-	ORDER GRANTING STATE'S MOTION TO COMPEL DISCOVERY
3/9/2007	-	ORDER GRANTING STATE'S MOTION TO COMPEL DISCOVERY

3/7/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/7/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/6/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
3/6/2007	-	JURY TRIAL SET <04/16/2007> 08:45 A.M.
3/6/2007	-	PRETRIAL HEARING <03/28/2007> 01:00 P.M.
3/6/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
3/6/2007	-	JURY TRIAL SET <04/16/2007> 08:45 A.M.
3/6/2007	-	PRETRIAL HEARING <03/28/2007> 01:00 P.M.
3/2/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/2/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
2/28/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/EVELING DARCE/OFC. ROBERT BULNES/OFC. / GEORGE VILLAREAL
2/28/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/EVELING DARCE/OFC. ROBERT BULNES/OFC. / GEORGE VILLAREAL
2/23/2007	-	NOTICE OF HEARING ON 03/02/07 AT 0845 AM
2/23/2007	MOTION TO COMPEL	MOTION TO COMPEL DISCOVERY
2/23/2007	-	NOTICE OF HEARING ON 03/02/07 AT 0845 AM
2/23/2007	MOTION TO COMPEL	MOTION TO COMPEL DISCOVERY
2/20/2007	-	MOTION HEARING <02/22/2007> 08:45 A.M.
2/20/2007	-	MOTION TO BE HEARD
2/20/2007	-	MOTION HEARING <02/22/2007> 08:45 A.M.
2/20/2007	-	MOTION TO BE HEARD
2/12/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
2/12/2007	-	NOTICE OF HEARING ON 02/22/07 AT 1030AM
2/12/2007	-	MOTION HEARING <02/22/2007> 10:30 A.M.
2/12/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
2/12/2007	-	NOTICE OF HEARING ON 02/22/07 AT 1030AM
2/12/2007	-	MOTION HEARING <02/22/2007> 10:30 A.M.
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. GEORGE VILLAREAL
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. GEORGE VILLAREAL

2/8/2007	-	MOTION COURT MINUTES FOR PROTECTIVE SERVICE
2/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
2/8/2007	-	MOTION COURT MINUTES FOR PROTECTIVE SERVICE
2/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
2/6/2007	-	JURY TRIAL SET <03/12/2007> 08:45 A.M.
2/6/2007	-	PRETRIAL HEARING <03/02/2007> 01:00 P.M.
2/6/2007	-	JURY TRIAL SET <03/12/2007> 08:45 A.M.
2/6/2007	-	PRETRIAL HEARING <03/02/2007> 01:00 P.M.
2/5/2007	-	MOTION HEARING <02/08/2007> 10:30 A.M.
2/5/2007	-	MOTION HEARING <02/08/2007> 10:30 A.M.
2/2/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/OFC. ROBERT BULNES/GEORGE VILLARE / AL
2/2/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/OFC. ROBERT BULNES/GEORGE VILLARE / AL
2/1/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/ROBERT BULNES/GEORGE VILLAREAL
2/1/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/ROBERT BULNES/GEORGE VILLAREAL
1/31/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
1/31/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/31/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
1/31/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/26/2007	-	SUPPLEMENTAL DISCOVERY RESPONSE
1/26/2007	-	SUPPLEMENTAL DISCOVERY RESPONSE
1/25/2007	-	NOTICE OF HEARING 02/08/2007 1030 AM/MOTION FOR PROTECTIVE ORDER (ON S / AME SHEET)
1/25/2007	-	NOTICE OF HEARING 02/08/2007 1030 AM/MOTION FOR PROTECTIVE ORDER (ON S / AME SHEET)
1/23/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/23/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/17/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/17/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/12/2007	-	ORDER FOR DNA SAMPLES
1/12/2007	-	ORDER FOR DNA SAMPLES
1/9/2007	-	JURY TRIAL SET <02/12/2007> 08:45 A.M.
1/9/2007	-	PRETRIAL HEARING <01/31/2007> 08:45 A.M.

1/9/2007	-	JURY TRIAL SET <02/12/2007> 08:45 A.M.
1/9/2007	-	PRETRIAL HEARING <01/31/2007> 08:45 A.M.
1/4/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/4/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/3/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
1/3/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
12/27/2006	-	MOTION COURT MINUTES FOR DNA
12/27/2006	-	MOTION COURT MINUTES FOR DNA
12/20/2006	-	PAYMENT ACCEPTED / RECEIPT # - 00039807
12/20/2006	-	MOTION FOR DNA SAMPLES
12/20/2006	-	NOTICE OF HEARING ON DEC 22,2006 AT 8:45 A.M.
12/20/2006	-	PAYMENT ACCEPTED / RECEIPT # - 00039807
12/20/2006	-	MOTION FOR DNA SAMPLES
12/20/2006	-	NOTICE OF HEARING ON DEC 22,2006 AT 8:45 A.M.
12/19/2006	-	MOTION HEARING <12/22/2006> 08:45 A.M.
12/19/2006	-	MOTION HEARING <12/22/2006> 08:45 A.M.
12/8/2006	-	JURY TRIAL SET <01/16/2007> 08:45 A.M.
12/8/2006	-	PRETRIAL HEARING <01/03/2007> 08:45 A.M.
12/8/2006	-	WRIT PLEA OF NG, DEMAND FOR JURY TRIAL AND NOTICE OF DISCOVERY
12/8/2006	PRETRIAL ORDER	PRETRIAL ORDER
12/8/2006	-	JURY TRIAL SET <01/16/2007> 08:45 A.M.
12/8/2006	-	PRETRIAL HEARING <01/03/2007> 08:45 A.M.
12/8/2006	-	WRIT PLEA OF NG, DEMAND FOR JURY TRIAL AND NOTICE OF DISCOVERY
12/8/2006	PRETRIAL ORDER	PRETRIAL ORDER
12/7/2006	-	ARR COURT MINUTES
12/7/2006	-	ARR COURT MINUTES
12/4/2006	-	NOTICE OF ARRAIGNMENT RESET ON DEC 7,2006 AT 8:45
12/4/2006	-	NOTICE OF ARRAIGNMENT RESET ON DEC 7,2006 AT 8:45
12/1/2006	ARRAIGNMENT RESET	ARRAIGNMENT RESET <12/07/2006> 08:45 A.M.
12/1/2006	ARRAIGNMENT RESET	ARRAIGNMENT RESET <12/07/2006> 08:45 A.M.
11/28/2006	ORIGINAL WARRANT RECEIVED	ORIGINAL WARRANT RECEIVED
11/28/2006	ORIGINAL WARRANT RECEIVED	ORIGINAL WARRANT RECEIVED
11/21/2006	PRISONER TRANSPORTATION COST	PRISONER TRANSPORTATION COST
11/21/2006	PRISONER TRANSPORTATION COST	PRISONER TRANSPORTATION COST

11/20/2006	-	ARRAIGNMENT SET <12/05/2006> 08:45 A.M.
11/20/2006	-	ARRAIGNMENT SET <12/05/2006> 08:45 A.M.
11/17/2006	-	FIRST APPEARANCE FORM
11/17/2006	-	WAR RET SERVED <11/15/2006> NOT VOP
11/17/2006	-	ARREST FORM
11/17/2006	-	FIRST APPEARANCE FORM
11/17/2006	-	WAR RET SERVED <11/15/2006> NOT VOP
11/17/2006	-	ARREST FORM
10/4/2006	INFORMATION FOR CONSOLIDATION FILED	INFORMATION FOR CONSOLIDATION FILED
10/4/2006	-	AMENDED INFORMATION
10/4/2006	-	AMENDED WARRANT INFORMATION FORM
10/4/2006	-	NO ACTION FILED COUNT * COUNT 002
10/4/2006	-	FILED COUNT 001
10/4/2006	INFORMATION FOR CONSOLIDATION FILED	INFORMATION FOR CONSOLIDATION FILED
10/4/2006	-	AMENDED INFORMATION
10/4/2006	-	AMENDED WARRANT INFORMATION FORM
10/4/2006	-	NO ACTION FILED COUNT * COUNT 002
10/4/2006	-	FILED COUNT 001
9/6/2006	AFFIDAVIT & APPLICATION FOR ARREST WARRANT	AFFIDAVIT & APPLICATION FOR ARREST WARRANT
9/6/2006	WAR ISSUED <*M/DD/YYYY> BOND IS *	WAR ISSUED <09/03/2006> BOND IS \$250000.00
9/6/2006	AFFIDAVIT & APPLICATION FOR ARREST WARRANT	AFFIDAVIT & APPLICATION FOR ARREST WARRANT
9/6/2006	WAR ISSUED <*M/DD/YYYY> BOND IS *	WAR ISSUED <09/03/2006> BOND IS \$250000.00

9

Omar Adult Criminal Files in Monroe County

(Based on Monroe County Criminal Clerk's Online Website & Cross Referenced with Monroe County Clerk's Internal Computer Lists which all Match)

I NEED SGT. PABLO RODRIGUEZ'S TIME SHEETS FOR THE BELOW BOLD FACE DATES OF ARREST OF OMAR BROWN AND ALSO A COPY OF SGT. PABLO RODRIGUEZ'S PERSONNEL FILE.

1. Monroe County Clerk's Office Internal Computer Listing of Omar Brown Files;
2. Monroe County Clerk's Office Online Public Records Search Results for Omar Brown Criminal Files;
3. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 06-MM-1539-K; **5/21/06 (NTO) & 11/15/06 ARRESTED**
4. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 05-CF-674-K; **2/25/06 ARRESTED**
5. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 03-CF-254-M; **12/21/03 ARRESTED**
6. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 96-CF-30447-K; **(NOT APPLICABLE BEFORE SGT. RODRIGUEZ WAS A LEO FOR KW)**
7. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 97-CF-30257-K; **(NOT APPLICABLE BEFORE SGT. RODRIGUEZ WAS A LEO FOR KW)**
8. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 96-CF-582-K-B; **(NOT APPLICABLE BEFORE SGT. RODRIGUEZ WAS A LEO FOR KW)**
9. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 96-CF-583-K; **(NOT APPLICABLE BEFORE SGT. RODRIGUEZ WAS A LEO FOR KW)**
10. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 06-MM-482-K; **2/25/06 & 11/15/06 & 6/7/06 & 5/24/05 ARRESTED**
11. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 05-CT-1788-K; **5/24/05 TRAFFIC CITATION**
12. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 02-CF-444-K; **4/9/02 ARRESTED**
13. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 02-CF-446-K; **4/9/02 ARRESTED**
14. Clerk Certified Portions of Omar Brown Criminal Case Identifying Arresting or Support Officers in Arrest---No. 02-CF-445-K. **4/9/02 ARRESTED**

Donald J. Lee, Jr.
Chief of Police



Key West
POLICE DEPARTMENT

TO: Whom This May Concern
FROM: Crystal Bravo, Special Services
DATE: March 5, 2009
RE: Timesheets for Sgt. Pablo Rodriguez

Sunday, Dec. 21, 2003, was not a regular work day and I have no Overtime papers for the above mentioned date.

I have no timesheet for Saturday, Feb. 25, 2006. At that time Sgt. Rodriguez was assigned to Criminal Investigations as a Detective. Saturday was not a regular work day and I have no Overtime papers for the above mentioned date.

I have no timesheet for Sunday, May 21, 2006. At that time Sgt. Rodriguez was assigned to Criminal Investigations as a Detective. Sunday was not a regular work day and I have no Overtime papers for the above mentioned date.



RESPECT - INTEGRITY - FAIRNESS

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
www.keywestcity.com



13

Handwritten signature: H. E. ...

DATE: 04/06/02

[illegible]

HEREBY CERTIFY THAT I HAVE EXAMINED THE TIME RECORD OF EACH EMPLOYEE LISTED ON THE PAYROLL REPORT, THAT EACH EMPLOYEE HAS PERFORMED THE SERVICES FOR WHICH THEIR SALARIES IS PAID, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF NO PART OF THE SALARY OR COMPENSATION OF ANY EMPLOYEE LISTED IS BEING DIVIDED OR PAID TO ANY OTHER PERSON ON ACCOUNT OF OR BY REASON OF HIS EMPLOYMENT AND THAT THE PAYROLL IS PROPERLY CHARGEABLE TO THE ACCOUNTS INDICATED HEREIN.

AUTHORIZED SIGNATURE

DATE _____

APR 10 2002

COPY

Day Tuesday

5/24/2005

[illegible]

I HEREBY CERTIFY THAT I HAVE EXAMINED THE TIME RECORD OF EACH EMPLOYEE LISTED ON THIS PAYROLL REPORT, THAT EACH EMPLOYEE HAS PERFORMED THE SERVICES FOR WHICH THE SALARIES ARE PAID, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF NO PART OF THE SALARY OR COMPENSATION OF ANY EMPLOYEE LISTED IS BEING DIVIDED OR PAID TO ANY OTHER PERSON ON ACCOUNT OF OR FOR REASON OF THIS EMPLOYMENT AND THAT THE PAYROLL IS PROPERLY CHARGEABLE TO THE ACCOUNTS INDICATED HEREIN.

Authorized Signature

Date _____

Day Wednesday

Wednesday

Date 6/7/2006

6/7/2006

[illegible]

I HEREBY CERTIFY THAT I HAVE EXAMINED THE TIME RECORD OF EACH EMPLOYEE LISTED ON THIS PAYROLL REPORT THAT EACH EMPLOYEE HAS PERFORMED THE SERVICES FOR WHICH THE SALARIES ARE PAID. THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF NO PART OF THE SALARY OR COMPENSATION OF ANY EMPLOYEE LISTED IS BEING DIVIDED OR PAID TO ANY OTHER PERSON ON ACCOUNT OF OR BY REASON OF HIS EMPLOYMENT AND THAT THE PAYROLL IS PROPERLY CHARGABLE TO THE ACCOUNTS INDICATED HEREIN.

Authorized Signature

Date _____

Day Wednesday

Wednesday

Date 11/15/2006

11/15/2006

COPY

Authorized Signature

Date

10

Use of Discretion and Alternatives to Arrest

Directive No: 01.05
This Version Date: 04-12-2001
Date Posted: 06-25-2001
Date Effective: 07-05-2001
Supersedes: N/A
Number of Pages: 5

Gordon "Buz" Dillon
Chief of Police

PURPOSE

It is the purpose of this directive to define the legal authority vested in sworn members, describe authorized use of discretion, and provide guidelines for using alternatives to arrest by Key West Police Department members in the performance of their duties.

DISCUSSION

It shall be the policy of the Key West Police Department to allow for the use of proper discretion by members in the performance of their duties. The use of discretion may include alternatives to arrest, however, any action taken shall be within the limits of legal, ethical, and moral behavior.

SCOPE

Specific responsibilities and requirements are contained in this Directive for:

- All Sworn Personnel

DIRECTIVE

01.05.01 LEGAL AUTHORITY

01.05.01.01 The Federal Constitution and The Florida Constitution define the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes and ordinances.

01.05.01.02 FS 943.10(14) defines "Officer" as "any person employed or appointed as a full-time, part-time, or auxiliary law enforcement

officer, correctional officer, or correctional probation officer." The City of Key West is an employing agency in accordance with Florida State Statute 943.10(4) with the constitutional or statutory authority to employ or appoint persons as "Officers".

- Full-Time Law Enforcement Officer
FS 943.10(1) defines Law Enforcement Officer as "any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state. ..."

The City of Key West – Department of Police employs persons to carry out the duties and responsibilities of "Law Enforcement Officers". These sworn members are vested with the legal authority to carry out those duties and responsibilities as defined in FS 943.10(1). These individuals are regularly employed, full-time employees who have successfully completed a basic law enforcement academy in accordance with the Florida Department of Law Enforcement's Division of Criminal Justice Standards and Training Commission (CJSTC).

- Auxiliary Law Enforcement Officer
FS 943.10(8) defines Auxiliary law enforcement officer as "any person employed or appointed, with or without compensation, who aids or assists a full-time or part-time law enforcement officer and who, while under the direct supervision of a full-time or part-time law enforcement officer, has the authority to arrest and perform law enforcement functions."

The City of Key West – Department of Police appoints persons to carry out the duties and responsibilities of "Auxiliary Law Enforcement Officers". These sworn members are vested with the legal authority to carry out those duties and responsibilities as defined in FS 943.10(8). These individuals are not regularly employed or compensated. They have successfully completed an auxiliary law enforcement officer academy in accordance with the Florida Department of Law Enforcement's Division of Criminal Justice Standards and Training Commission (CJSTC). Defined by the Key West Police Department as Auxiliary Officers, they may exercise law enforcement authority only under the direct supervision of a full-time or part-time law enforcement officer.

- Part-Time Law Enforcement Officer
FS 943.10(6) defines Part-time law enforcement officer as "any person employed or appointed less than full time, as defined by an employing agency, with or without compensation, who is vested with authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

The City of Key West – Department of Police appoints persons to carry out the duties and responsibilities of "Part-Time Law Enforcement Officers". These sworn members are vested with the legal authority to carry out those duties and responsibilities as defined in FS 943.10(6). These individuals are not regularly employed or compensated. Defined by Key West Police Department as Auxiliary Officer I, they have successfully completed a basic law enforcement academy in accordance with the Florida Department of Law Enforcement's Division of Criminal Justice Standards and Training Commission (CJSTC).

01.05.02 USE OF DISCRETION

01.05.02.01 Law enforcement is not an exact science. Therefore, members must use discretion in the performance of their routine duties. In some cases when an arrest or citation might be lawful, the Officer must consider certain mitigating circumstances and exercise the discretion not to arrest or not to issue the citation. When an Officer is deciding whether or not to

make an arrest, what should be going through the Officer's mind is, "should I arrest", instead of, "can I arrest". Public empathy and respect for the law can be enhanced by the careful and judicious use of discretion.

01.05.02.02 The Chief of Police and his staff expect each member to rely upon his experience, training, compassion, good judgment and advice of supervisors in order to guide them toward morally justified and lawful decisions. Members must always act reasonably and within the limits of their authority as defined by Florida Statutes and judicial interpretation. This will ensure the rights of individuals, as well as the general public, are protected. When a member is in doubt as to whether or not discretion should be exercised, he should consult his Supervisor.

01.05.02.03 In the absence of any constitutional, statutory or court ordered mandate, members have the authority to exercise discretion in the performance of their duties. Nothing in this paragraph, however, is intended to relieve the Officer from his responsibility to take a person into custody when the offense committed is of a serious nature and any other alternative would expose the public to risk.

01.05.02.04 ALTERNATIVES TO ARREST

The use of discretion is not limited to arrests and may arise in many other situations, including traffic offenses, calls for service, settling disputes, etc. The key is to use good judgment within the limits of legal, ethical and moral behavior.

01.05.02.05 Consistent with the philosophy and practice of community oriented policing, it is the policy of the Key West Police Department to allow for the use of alternatives to arrest when appropriate for the circumstances and when within the limits of legal, ethical, and moral behavior. Notwithstanding any requirements of law, the Chief of Police may establish acceptable parameters of discretion and alternatives to arrest to be followed by sworn members of this Department. Not intended to be all-inclusive, below are examples of currently acceptable parameters of discretion and alternatives to arrest:

Verbal Warnings for Traffic Infractions

When appropriate, a member may use a verbal warning for a minor traffic infraction in lieu of issuing a traffic citation.

Verbal Warnings for Minor Criminal Offenses

When appropriate, a member may use a verbal warning for a minor misdemeanor offense in lieu of an arrest.

Notice To Appear

When appropriate and allowed under State of Florida Rule of Criminal Procedure 3.125, a member may issue a "Notice to Appear" for a non-traffic related misdemeanor in lieu of a custodial arrest.

Note: *Florida Rule of Criminal Procedure 3.125 reads: If a person is arrested for an offense declared to be a misdemeanor of the first or second degree or a violation, or is arrested for violation of a municipal or county ordinance triable in the county, and demand to be taken before a magistrate is not made, notice to appear may be issued by the arresting officer unless:*

- 1) *The accused fails or refuses to sufficiently identify himself or herself or supply the required information;*
- 2) *The accused refuses to sign the notice to appear;*
- 3) *The officer has reason to believe that the continued liberty of the accused constitutes an unreasonable risk of bodily injury to the accused or others;*
- 4) *The accused has no ties with the jurisdiction reasonably sufficient to assure the accused's appearance or there is substantial risk that the accused will refuse to respond to the notice;*
- 5) *The officer has any suspicion that the accused may be wanted in any jurisdiction; or*
- 6) *The accused appears to have previously failed to respond to a notice or a summons or has violated the conditions of any pretrial release program.*

Release With Signature on Traffic Citation

When appropriate, a member may release the driver with his signature and a court date for a misdemeanor traffic related offense in lieu of a custodial arrest.

Juvenile Civil Citation

When appropriate, and allowed under the provisions of the Juvenile Civil Citation Program, a member may release a juvenile who has

committed a misdemeanor offense after issuing him/her a Juvenile Civil Citation. (See section 01.05.02.07 of this directive for complete details regarding the Juvenile Civil Citation Program).

Referral to the State Attorney's Office

When appropriate, a member may prepare an Offense / Incident Report on the matter and refer the victim/complainant to the Monroe County State Attorney's Office in lieu of an immediate arrest. This option should be reserved for situations where the Officer may not make a warrantless arrest for an offense not committed in his presence, or where conflicting statements or the lack of evidence make for insufficient probable cause for an arrest. When this option is elected, the victim/complainant will need to secure a copy of the report from the KWPD Records Division before proceeding to the State Attorney's Office.

Investigation by Bureau of Criminal Investigations

When appropriate, a member may prepare an Offense / Incident Report to be forwarded to the Bureau of Criminal Investigations for further investigation when an immediate arrest is not supported by sufficient probable cause.

Securing a Warrant

When appropriate, a member may secure an arrest warrant in lieu of an immediate arrest.

Marchman Act

When appropriate and allowed under FS Chapter 397, a member may take an intoxicated person who has committed a minor misdemeanor offense into protective custody under the Marchman Act in lieu of an arrest.

Baker Act

When allowed under FS Chapter 394 and in accordance with General Order – 03.10 "Baker Act", a member may take a person who has committed a misdemeanor offense into protective custody under the Baker Act in lieu of an arrest.

Outside Agencies

When appropriate, a member may refer the case to another agency of competent jurisdiction, with approval of his Supervisor; or refer the victim/complainant to another agency established specifically for handling cases of that nature.

01.05.02.06 MANDATORY ARRESTS

The use of discretion shall not be authorized in certain circumstances where department directives, State Statutes and City ordinances

establish specific procedures for members to follow, for instance:

- A person who violates a Domestic Violence injunction for protection shall be subject to custodial arrest.

01.05.02.07 JUVENILE CIVIL CITATION

A. Program Overview

The Juvenile Civil Citation Program, derived from FS 985.301, is administered in Monroe County by the Juvenile Diversion Services Division of the Monroe County Sheriff's Office. Implemented in 1992, it offers early intervention, counseling, education, and other appropriate community resources to divert juveniles who commit misdemeanors from the juvenile criminal justice system.

B. Who Is Eligible

The person must be under the age of 18 and a resident of Monroe County who commits a criminal misdemeanor violation of State law or municipal ordinance.

C. Who Is Ineligible

The juvenile is not eligible when restitution must be paid or when two or more previous juvenile dispositions exist.

D. Procedures for the Officer

When the law enforcement officer encounters a juvenile, and there is reasonable belief that the law has been violated, the juvenile shall be temporarily detained. If the Officer determines that the juvenile is eligible for the Civil Citation Program as described in paragraphs "C" and "D" above, the Officer may issue a Juvenile Civil Citation in lieu of arrest as long as the juvenile agrees to the program.

The Officer shall explain the procedures the juvenile must follow, which are located on the backside of the gold copy of the citation. They are:

- 1) The juvenile is required to have the parent or legal guardian sign the Citation form indicating approval to participate in the Civil Citation Program.
- 2) The juvenile and his/her parent or legal guardian shall report to the Civil Citation Program office within seven (7) working days of the date the citation was issued.

- 3) The juvenile will be assigned sanctions by the Civil Citation Counselor, which shall include community service work, and may include counseling referrals, urinalysis monitoring, apology letters, essays, etc. as appropriate.

The Officer must submit the white copy of the citation to the Civil Citation Program office, located at the Sheriff's Office, by the next working day following the issuance of the citation.

E. Special Considerations by the Officer

A Juvenile Civil Citation may be issued for an offense not committed in the Officer's presence, but who are otherwise subject to arrest, (ie: shoplifting).

A Citation issued for possession of illegal drugs and/or alcohol will require contact with the parent or legal guardian before the juvenile may be released.

F. Rejection of the Program

The child, parent, or legal guardian has the option to accept or reject the Citation or participation in the Program. Refusal of the juvenile to accept the Citation, or rejection by the parent or guardian, removes the juvenile from the Civil Citation Program. The case is then referred to the court for processing.

G. Failure to Comply with the Program

If the juvenile fails to complete the Civil Citation Program sanctions in a timely manner, or when there is a subsequent law violation while the child is enrolled with the Program, the child will be violated and referred back to the court for processing through the judicial system.

H. Length of the Program

The child will have thirty days to successfully complete the assigned sanctions. An extension of fifteen (15) days may be granted for completion of other special conditions such as drug/alcohol or anger management counseling.

REFERENCES

- Juvenile Civil Citation Program
Monroe County Sheriff's Office
Juvenile Diversion Services Division
- Bartow FL Police Department
SOP-108
Use of Discretion

- FS Chapter 394
Mental Health
- FS Chapter 397
Substance Abuse Services
- Florida Rule of Court 3.125
Notice to Appear
- FS 741.29
Investigations by law enforcement officers of
incident of domestic violence; notice to
victims of legal rights and remedies; reporting
of incidents.

11

①

I'm writing to you and the Citizen Review Board on the behalf of me and thanking you from the bottom of my heart for helping me bring the truth to light about this scandalous law enforcer and dirty cop Pablo Rodriguez that lied to the Judge under oath in the Affidavit for the search warrant by Profiling me for a crime that I didn't do by Falsifying false allegation about me. so thank for my heart goes out to the Citizen Review board for process with my case that was Filed 23 or 24 months ago. thank you for believing in my allegation of this cop Pablo Rodriguez of incompetence. Mr. Mueller I have a another problem with this cop there was a deposition taken on the 24th of November and I just Review it within a weeks ago and this officer Pablo Rodriguez again is lying on me by stating that I was his C.I. in the depo and that's not true at all and he is saying stuff in the depo about me calling him at late night about 1 am and 2 am etc. another this officer is not even a witness in my case. or there's not even a written statement of him in my case. that he went the only thing he did in this case is raid up the Affidavit for the search warrant and you can check on that cause what I'm saying is true. and another thing about this depo that he saying I'm his C.I. I have never been a C.I. in my life he's lying on me again there's known documented stating nothing about me being a C.I. or there's no kind of statement stating me being a C.I. but only

②

ways I suppos to have a Co-defendent in this case
A Friend that was in my house so there for the
Police said we did this crime so there for every
depo that I get he get's one copy to and now
SCENT'S Pablo Rodriguez stated in the depo that I was
his C.F people in this Jail house thinks it's tru about
me and that's not right at all for him doing that. so
could you please look in to this matter and see if that's
right or wrong about him doing me like that. Thanks you
for your time and hope to hear from you soon and I want's
like to know what's going on at the next Citizen Review
board meeting and when is it. Thanks you and god bless

Respectfully ~~Braun~~ Braun

12

CITIZEN REVIEW BOARD

IN RE:

THE COMPLAINT OF
OMAR BROWN

CASE NO. 07-001

SUBPOENA DUCES TECUM

THE STATE OF FLORIDA:

**TO: City of Key West Police Department
Document Custodian
1604 North Roosevelt Blvd.
Key West, FL 33040**


YOU ARE COMMANDED to appear before the Citizen Review Board at the Old City Hall, 510 Greene Street, Key West, FL 33040, beginning Monday, April 27, 2009, at 6:30 p.m., to give testimony before the CRB in this action, and to have with you at that time and place the following:

all documents in your possession, custody or control relating to any investigation conducted by you incident to the Complaint filed by Omar Brown.

If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on the 10th day of March, 2009.


Bryan Green
Chairman of Citizen Review Board

Robert Cintron, Jr., Esq.
Florida Bar No. 0325031
317 Whitehead Street
Key West, FL 33040
PHONE (305) 296-5676
FACSIMILE (305) 296-4331

NOTICE TO PERSONS WITH DISABILITIES:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Executive Director Stephen Muffler, Citizen Review Board, #3 East Quay Road, Key West, FL 33040, telephone (305) 809-3887; fax: (305) 293-9827 within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call 711.

****COMPLAINT FILE INDEX****

Section 1:

Final Register Entry w/ Conclusion
Initial Register Entry
Personnel Complaint Form/
CRB Complainant Form
Initial complainant statement/letter

Section 2:

“Finding of Fact” from Bureau Commander
Investigative Report
Reports/Affidavits and CAD Report

Section 3:

Notes to File

Section 4:

Witness Statements

Section 5:

Transcripts of Interviews

Section 6:

Complainant Receipt Form
Officer's Notice of Inquiry
Complainant's Letter of Conclusion
Officer's Notice of Conclusion

Section 7:

Photographs
Medical Records

Section 8:

CD's/ Videotapes/Audiotapes

Key West Police Department

Investigation Summary Report

Case Type: Personnel Complaint Form

Case Number: PS07-011

Incident Date: 09/02/2006

Date Reported: 02/27/2007

Origin: CRB

Report Number: CRB 07-001

Location: 1604 N. Roosevelt Blvd.

Status: Open

Date Closed:

Complainant(s)

Brown, Omar R
5501 College Road
Monroe County Jail
Key West, FL 33040

Race: Black

Sex: Male

Employee(s)

Rodriguez, Pablo

ID#: 2298

Race: Hispanic

Sex: Male

Supervisor: Smith, David

Assignment: Patrol -

Allegation: Allegations pertain to the lawfulness/justification of enforcement action

Violation: Other

Finding: No Inquiry

Action Taken: No Action Taken

Tracking:

Group: Internal Affairs

Assigned To: Benkoczy, James

Assign Type: Reviewer

Assign Date: 4/3/2007

Due Date: 4/4/2007

Completion Date: 4/4/2007

Narrative:

Citizen Review Board

To:	Det. Lt. Jim Benkoczy	From:	Amanda Willett, Executive Director
Fax:	809-1064 or 1068	Pages:	2 (including fax cover page)
Phone:		Date:	March 7, 2007
Re:	CRB Complaint # 07-001	CC:	Chief Mauldin

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Following for your review is a letter complaint which was received via mail on March 7, 2007 by Omar Brown. The CRB respectfully requests that IA review the letter complaint and conduct an investigation or inquiry and report back to the CRB within the 45 days allotted.

CRB File # 07-001 Omar Brown

Thank you for your assistance,

Amanda G. Willett
Executive Director
City of Key West
Citizen Review Board
P.O. Box 1946
Key West, FL 33041
citizensrvw@bellsouth.net
(305) 293-9835
(305) 293-9827 Fax

OMMA BROWN #425744
 5501 College Road
 Key West FL 33040

MIAMI FL 331

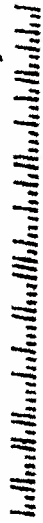
03 MAR 2007 PM 2 T



Citizen Review Board
 P.O. Box 1946

Key West FL 33041

33041+1306



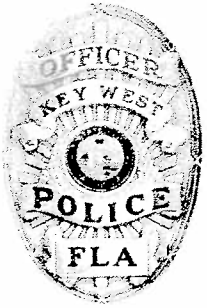
CRB recd 3-7-07 via mail

Date) 2-27-07

(1 FRUITS OF A POISONESS TREE)

my name is Omar Brown I'm in Jail for a crime I
didn't do and I can prove it. I'm being set up by the
Maywest Police Department and the State attorney Mark Wilson
for Helping them lie on the affidavit for the search warrant
for my House and also on the affidavit ^{for} the search warrant
The officer who wrote it lied under oath by saying that
I watch the person who did the robbery cause he arrested
me in the past, but he never arrested me before in his
life and I can't prove it, and all so I can't prove that
the police had know kind of reason to be at my House
and all so searching my property without my permission
I need help as soon as possible to prove I was set up
by the Maywest Police Department and the State attorney
and all so my P.D. and the Jail House. Somebody Please
Help me before I lose my life please..!!

Omar Brown



William A. Mauldin
Chief of Police

Memorandum

Key West Police Department

Respect Integrity Fairness

The Southernmost Police Department

To: Amanda Willet, Executive Director, Citizen Review Board

From: Lt. Jim Benkoczy, Commander, Professional Standards

Date: April 3, 2007

Subject: CRB # 07-001 Oman Brown

I have received and reviewed the complaint filed by Mr. Oman Brown against a member of the Key West Police Department and all the information forwarded with the complaint.

Mr. Brown's complaint alleges a conspiracy or "set up" by the Key West Police Department and the State Attorney's Office relating to a search warrant signed by Judge Miller on September 6, 2006.

My review and evaluation of this complaint is as follows: This complaint pertains solely to the lawfulness or justification of enforcement action, and such action appears not to constitute a violation of the law or departmental directives. Therefore, no further administrative action will be taken on the matter.

I suggest Mr. Brown make his "proof" of these allegations available to his attorney to assist in the preparation of his defense.

If you have any questions regarding this, please don't hesitate to contact me at 809-1035.



1604 N. Roosevelt Blvd.



Key West, Florida 33040

IN THE CIRCUIT / COUNTY COURT, 16TH JUDICIAL CIRCUIT,
IN AND FOR THE COUNTY OF MONROE, FLORIDA

STATE OF FLORIDA

VS

OMAR RICARDO BROWN

Originating agency: Key West Police Department
Originating agency Case Number: 06-5439
Warrant No: _____

ARREST WARRANT

WHEREAS, complaint on oath and in writing, supported by affidavit of a credible witness, or witnesses, has this day been made before the undersigned Judge WAYNE MILLER, WHEREAS, said facts made known to me and considered by me have caused me to certify and find that the facts set forth in said affidavit show and constitute probable cause for the issuance of this warrant and the Court being satisfied of the existence of said grounds set forth in the affidavit and that the laws of the State of Florida have been violated.

Based on a finding of probable cause, you are commanded to arrest the above-named defendant and bring the defendant without unnecessary delay before this court to answer to the charge of: ROBBERY (ARMED) And GRAND THEFT contrary to Section(s): 812.13 & 812.014 of FLORIDA STATUTES.

GIVEN UNDER MY HAND AND SEAL THIS 3 DAY OF SEPT 2006

JUDGE [Signature]
BOND \$ 250,000.00

Description of defendant:

NAME:	OMAR RICARDO BROWN
DATE OF BIRTH:	26 DEC 1974
RACE:	B
SEX:	M
HEIGHT:	507
WEIGHT:	150
EYE COLOR:	BRO
HAIR COLOR:	BLK
SSN#:	Intentionally Deleted
FL. DL#:	
LAST KNOWN ADDRESS:	3636 Duck Ave. Key West, FL 33040

Extradition Information:

The State will extradite the defendant:

- ☐ State of Florida Only
- ☐ From any contiguous state
- ☐ From anywhere in the continental United States
- ☐ From anywhere

Rev'd MW 03 SEP 2006

ARREST AFFIDAVIT

{ **1. ROBBERY (ARMED)** } IN VIOLATION OF FLORIDA STATUTE { **FSS 812.13** }
{ **2. GRAND THEFT** } IN VIOLATION OF FLORIDA STATUTE { **FSS 812.014** }

IN THE CIRCUIT / COUNTY COURT, 16TH JUDICIAL CIRCUIT, COUNTY OF
MONROE, FLORIDA STATE OF FLORIDA VS: { **OMAR RICARDO BROWN** }

CASE #: 06-5439
DATE OF BIRTH: 26 DEC 1974
RACE: B
SEX: M
HEIGHT: 507
WEIGHT: 150
EYE COLOR: Bro
HAIR COLOR: Blk
SS#: Intentionally Deleted
Fl. DL#:

In the name of the State of Florida, to all singular the sheriffs of the State of Florida,
Detective Diane Lipinski of the Key West Police Department has this day made oath
that on the { **02 September 2006** }, in the county aforesaid, one: { **OMAR RICARDO
BROWN** } of { **3636 Duck Ave. Key West, FL 33040** } did then and there:

Enter the Beachcomber Jewelry Store at 2786 N. Roosevelt Blvd. with Co-defendant
Laquenton Cade, armed with a handgun, in which they threatened the victims (employees
of the store) with the gun and ordered them to get to the ground. One of the defendants
proceeded to smash two showcases containing approximately \$70,000.00 in jewelry and
took it with intent to permanently deprive the owner of the property.

At approximately noon on September 2, 2006, an armed robbery occurred at
Beachcomber Jewelers, 2786 N. Roosevelt Blvd., Key West, Monroe County, Florida.
Two employees were on duty at the time. The employees reported that two males—at
least one of whom was black—wearing dark clothing entered the store. One assailant
was described as a black male, approximately 5'8" tall, with an average build, wearing a
dark-colored knit hat with a short visor and blue gloves that the employees described as
"textured." This assailant had his face partially covered by the collar of a dark turtleneck-
type shirt, which he had pulled up to conceal his face. This assailant pointed what
appeared to be a dark-colored handgun at the employees and ordered them to lie on the
floor. He then stood between the prone employees and pressed the gun into their backs
while the other assailant began smashing the glass jewelry cases and removing the
jewelry inside. The assailant who collected the jewelry wore a dark bandana to cover his
face. Once the jewelry (estimated to be worth at least \$70,000) was collected, the
assailants fled out the back door. One of the victims recalled a couple coming into the
store earlier in the week looking at the same rings and jewelry in the same cases as the

ones that were stolen. She described the female as a black female with braided colored hair with tattoos on her upper chest that were visible and unique. She described the male as a black male, thin with black matted hair that looked like a wig.

Rebecca Kasper, an employee of an adjacent store, heard loud noises inside Beachcomber Jewelers and came to investigate. When Kasper opened the front door of the jewelry store, she saw a person exiting through the back door. Kasper described this person as 5'8" tall, with a thin build, wearing dark clothing and a dark bandana covering his face.

Eveling Darce, who had been inside Beachcomber Jewelers that morning washing the windows, reported that between 10:30 and 11:00 a.m. she had seen a white four-door with some kind of dark material covering the passenger-side windows make two slow passes by the business.

Shortly after noon, the Key West Police Department received a call from Maria Terrell, who reported that she had just seen her ex-husband Omar BROWN driving her car (a white four-door Dodge Stratus) in the company of three other black males. Terrell reported BROWN did not have permission to be in possession of her car, and she had no idea why he was driving it. Terrell reported the windows had been covered with some material that darkened them and made it difficult to see inside. When Terrell yelled at the occupants, they ducked down, covered their faces, and drove away. Terrell reported the car stolen.

Detective Sergeant Barrios heard the stolen vehicle call over the radio. He knows Omar BROWN from prior contacts, and knows where he lives. Detective Sergeant Barrios, Sergeant Frank Zamora, and Officer Bradley Lariz responded to BROWN's residence at 3636 Duck Ave., Key West, Monroe County, Florida. The officers knocked at the door, which was eventually answered by Dominicke Terrell (Maria Terrell's son), and asked if BROWN was there. Terrell said he didn't know where BROWN was. Then Kiefa Edgerton (BROWN's girlfriend) appeared at the door and told the officers that BROWN wasn't inside. On a small table near the door, officers noticed a pair of camouflage-colored gardening gloves and a hammer nearby.

The officers went to the front of the house to confer. When they returned to the door, they noticed the gloves had disappeared. The officers knocked at the door again, but Edgerton refused to answer. Minutes later, BROWN appeared at a window and asked officers what was going on. Officers told him they were there to investigate a reported vehicle theft. BROWN admitted driving the car, but denied stealing it. BROWN appeared to be extremely agitated and nervous.

After processing the scene at Beachcomber Jewelers, Crime Scene Investigator Donald Guevremont responded to 3636 Duck Ave. Investigator Guevremont examined the hammer found near the door. The wooden handle of the hammer had fresh gouge marks that contained small fragments of glass. The handle also had red paint transfer that was consistent with the red frames of the jewelry cases damaged during the robbery. The

fresh gouge marks, glass fragments, and paint transfer suggest the hammer was used to smash the glass jewelry cases at Beachcomber Jewelers. Investigator Guevremont also inspected the head of the hammer. The head was slightly rusted and had striations in it from prior use. Investigator Guevremont compared these striations to the marks left in the remains of the smashed jewelry cases at Beachcomber Jewelers. The striations in the head of the hammer appeared to be consistent with these marks. Furthermore, the jewelry cases had stain marks that appeared to be consistent with the rust found on the head of the hammer.

A red Honda coupe was parked in front of 3636 Duck Ave. It is registered to Kiefa Edgerton. A subsequent search of the vehicle revealed small glass fragments in the rear passenger-side armrest.

Officers asked BROWN and Edgerton if they would allow a search of the premises. They refused. They also denied that anyone else was present inside. While awaiting a search warrant, the occupants of the residence stayed outside while BROWN left the area stating he was going to get some food.

A search warrant was obtained for 3636 Duck Ave. which was previously occupied by the defendant Omar BROWN, and co-defendant (Laquenton Cade), along with witness (Kiefa Edgerton who is the girlfriend of Omar BROWN, and witness #2 (Dominicki Terrell). The Key West Special Response team made entry into the house and located the defendant (Cade) in the rear bedroom.

Crime Scene Investigator Guevremont and Officer DelCid proceeded to search the residence and located a dark in color handgun which was located, along with a blue in color textured glove, within the cartilage of the residence. They also located several pieces of jewelry, which still had the price tags on, with an approximate value of \$70,000.00. which was located in the tank of the toilet in the bathroom. A black in color knit hat was also located, all of which are consistent with the items used in the commission of the robbery.

Cade and Edgerton were brought to the station to be interviewed. Cade was read his Miranda warnings which he invoked requesting an attorney. Detective Lipinski spoke to Edgerton and she stated that BROWN had called her wanting to use her car so she let him have it around 1100 this morning. Edgerton said the next time she saw BROWN was around 1230 at 3636 Duck Ave. along with Cade, and Terrell. She said Terrell was sleeping inside the house in a rear bedroom, while Cade and BROWN were sitting on the floor with a bunch of jewelry, going through it all. Edgerton asked them where they got the jewelry and they said they "hit" the jewelry store. She asked them what jewelry store and BROWN told her it was the store they were in earlier in the week, looking at rings. A short time later police arrived at the house inquiring about her car and wanted to speak to the occupants in the house, she said BROWN freaked out and told her to not let the police in, so she told the police to leave until they had a warrant. Edgerton said as more police vehicles arrived BROWN freaked out and tried going out the back window, but

was met by police. She said she went to Cade who was hiding in the bathroom and asked him what he was going to do, and he said he ain't doing nothing until the police come in. Edgerton said she was angry and went to find BROWN outside to ask him, but couldn't because the police were around. Edgerton admitted to being in the jewelry store earlier in the week with BROWN looking at rings, but she didn't realize he was in there "staking" it out.

CADE was arrested and taken to the Monroe County Detention Center. Omar BROWN is still at large.

BROWN did enter the Beachcomber Jewelry Store at 2786 N. Roosevelt Blvd. with Co-defendant Laquenton Cade, armed with a handgun, in which they threatened the victims (employees of the store) with the gun and ordered them to get to the ground. One of the defendants proceeded to smash two showcases containing approximately \$70,000.00 in jewelry and took it with intent to permanently deprive the owner of the property which is in violation of Florida State Statute.

Contrary to the Florida Statute in such cases made and provided, and against the peace and dignity of the State of Florida.

Diane M. Rasmussen (Ver)
(Affiant's Signature)

Sworn to and subscribed before me this 3rd day of September, 2006

Stacia Winter
(Signature and title of person taking oath)



AFFIDAVIT AND APPLICATION FOR SEARCH WARRANT

IN THE SIXTEENTH JUDICIAL CIRCUIT, IN AND FOR
MONROE COUNTY, FLORIDA

THE STATE OF FLORIDA,
COUNTY OF MONROE

BEFORE ME, HONORABLE JUDGE WAYNE MILLER

in and for MONROE COUNTY, personally appeared this day Detective Pablo Rodriguez who, being by me first duly sworn, deposes and says that he believes and has good reason to believe that a certain premises located in MONROE COUNTY, Florida, described as follows, to-wit:

Premises Location: 3636 Duck Avenue, City of Key West, County of Monroe, State of Florida

Premises Description: The structure is a concrete block structure, one (1) story, duplex building, located on the south side of the 3600 block of Duck Avenue. It is the third structure to the west of the intersection of 19th and Duck Avenue. The structure is painted yellow with a tin roof. It has white trimming around the windows and front door. The premises is located on the south-east corner of the structure. There is a brown wooden fence surrounding the structure. The premises has a white door which opens out with a door handle and deadbolt lock located on the right side of the door. There is a white awning located above the front door affixed to the wall.

Property Description: Head covers, firearms, jewelry, clothing, trace evidence.

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.

The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime.

Affiant's reasons for the belief that "the property" above mentioned is being concealed and stored at "the premises" above-described and the facts establishing the grounds for this affidavit and the probable cause for believing that such facts exist are as follows:

At approximately noon on September 2, 2006, an armed robbery occurred at Beachcomber Jewelers, 2786 N. Roosevelt Blvd., Key West, Monroe County, Florida. Two employees were on duty at the time. The employees reported that two males—at least one of whom was black—wearing dark clothing entered the store. One assailant was described as a black male, approximately 5'8" tall, with an average build, wearing a dark-colored knit hat with a short visor and blue gloves that the employees described as "textured." This assailant had his face partially covered by the collar of a dark turtleneck-type shirt, which he had pulled up to conceal his face. This assailant pointed what appeared to be a dark-colored handgun at the employees and ordered them to lie on the floor. He then stood between the prone employees and pressed the gun into their backs while the other assailant began smashing the glass jewelry cases and removing the jewelry inside. The assailant who collected the jewelry wore a dark bandana to cover his face. Once the jewelry (estimated to be worth at least \$50,000) was collected, the assailants fled out the back door.

Rebecca Kasper, an employee of an adjacent store, heard loud noises inside Beachcomber Jewelers and came to investigate. When Kasper opened the front door of the jewelry store, she saw a person exiting through the back door. Kasper described this person as 5'8" tall, with a thin build, wearing dark clothing and a bandana covering his face.

Eveling Darce, who had been inside Beachcomber Jewelers that morning washing the windows, reported that between 10:30 and 11:00 a.m. she had seen a white four-door with some kind of dark material covering the passenger-side windows make two slow passes by the business.

Shortly after noon, the Key West Police Department received a call from Maria Terrell, who reported that she had just seen her ex-husband Omar Brown driving

her car (a white four-door Dodge Stratus) in the company of three other black males. Terrell reported Brown did not have permission to be in possession of her car, and she had no idea why he was driving it. Terrell reported the windows had been covered with some material that darkened them and made it difficult to see inside. When Terrell yelled at the occupants, they ducked down, covered their faces, and drove away. Terrell reported the car stolen.

Detective Sergeant Barrios heard the stolen vehicle call over the radio. He knows Omar Brown from prior contacts, and knows where he lives. Detective Sergeant Barrios, Sergeant Frank Zamora, and Officer Bradley Lariz responded to Brown's residence at 3636 Duck Ave., Key West, Monroe County, Florida. The officers knocked at the door, which was eventually answered by Dominicke Terrell (Maria Terrell's son), and asked if Brown was there. Terrell said he didn't know where Brown was. Then Kiefa Edgerton (Brown's girlfriend) appeared at the door and told the officers that Brown wasn't inside. On a small table near the door, officers noticed a pair of camouflage-colored gardening gloves and a hammer nearby.

The officers went to the front of the house to confer. When they returned to the door, they noticed the gloves had disappeared. The officers knocked at the door again, but Edgerton refused to answer. Minutes later, Brown appeared at a window and asked officers what was going on. Officers told him they were there to investigate a reported vehicle theft. Brown admitted driving the car, but denied stealing it. Brown appeared to be extremely agitated and nervous.

Officers asked Brown and Edgerton if they would allow a search of the premises. They refused. They also denied that anyone else was present inside.

After processing the scene at Beachcomber Jewelers, Crime Scene Investigator Donald Guevremont responded to 3636 Duck Ave. Investigator Guevremont examined the hammer found near the door. The wooden handle of the hammer had fresh gouge marks that contained small fragments of glass. The handle also had red paint transfer that was consistent with the red frames of the jewelry cases damaged during the robbery. The fresh gouge marks, glass fragments, and paint transfer suggest the hammer was used to smash the glass jewelry cases at Beachcomber Jewelers. Investigator Guevremont also inspected the head of the hammer. The head was slightly rusted and had striations in it from prior use. Investigator Guevremont compared these striations to the marks left in the remains of the smashed jewelry cases at Beachcomber Jewelers. The striations in the head of the hammer appeared to be consistent with these marks. Furthermore, the jewelry cases had stain marks that appeared to be consistent with the rust found on the head of the hammer.

A red Honda coupe was parked in front of 3636 Duck Ave. It is registered to Kiefa Edgerton. Officer Keith Rendueles directed his canine "Daxo," which has been extensively trained to detect the presence of controlled substances, walk

around the vehicle. Daxo alerted to the passenger-side door of the vehicle, suggesting controlled substances were inside. A subsequent search of the vehicle revealed a small quantity of marijuana on the passenger-side floorboard and small glass fragments in the rear passenger-side armrest.

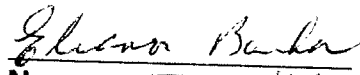
Your affiant has known Omar Brown for at least six years and has arrested him in the past. Brown matches the general physical description given by the employees of Beachcomber Jewelers: he is a black male, approximately 5'8" tall, and has a medium build. Your affiant is familiar with how Omar Brown dresses: Brown often wears turtleneck sweaters and a distinctive knit cap with a short visor. This clothing is consistent with what one assailant in the robbery was reportedly wearing.

Your affiant has been a Key West Police Officer for over six years. Your affiant has been a detective in the Criminal investigation Unit for two years. Your affiant has taken a variety of courses in criminal investigations.

Wherefore, your affiant makes this affidavit and prays the issuance of a search warrant in due form of law for the search of the above described premises, the curtilage thereof as well as any person present or arriving, known or suspected to be involved in an armed robbery and grand theft, and any vehicle operated by any such person, heretofore described and for the seizure and safe keeping of the property, subject to the order of this honorable court of such court having jurisdiction over the offense, by the duly constituted officer of the law.


Detective Pablo Rodriguez, Affiant

The foregoing instrument was acknowledge before me this ____ day of ____, 2006, by _____, who is personally known to me and who did take an oath.

Notary Public 
Notary Public Name ELEANOR BARKER
My commission expires: _____



Eleanor Barker
MY COMMISSION # DD241639 EXPIRES
November 25, 2007
BONDED THRU TROY FAIR INSURANCE, INC.

Sworn to and subscribed before me this 2 day of Sept, 2006

Judge in and for MONROE COUNTY, Florida

SEARCH WARRANT

IN THE SIXTEENTH JUDICIAL CIRCUIT COURT IN AND FOR
MONROE COUNTY FLORIDA

THE STATE OF FLORIDA COUNTY OF MONROE IN THE NAME OF THE
STATE OF FLORIDA, TO ALL AND SINGULAR:

The Sheriff of MONROE COUNTY, Florida, and his lawful Deputies, All Police Officers in MONROE COUNTY, Florida, The Commissioner of the Florida Department of Law Enforcement or any of his Duly Constituted Agents, and State Attorney's Investigators, 16th Judicial Circuit, State of Florida.

WHEREAS, complaint on oath and in writing, supported by affidavit of a credible witness, or witnesses, has this day been made before the undersigned Jesse in and for MONROE COUNTY, Florida, and,

WHEREAS, said facts made known to me and considered by me have caused me to certify and find that the facts set forth in said affidavit show and constitute probable cause for the issuance of this warrant and the Court being satisfied of the existence of said grounds set forth in the affidavit and that the laws of the State of Florida have been and are being violated on or in the premises known and described as follows, to-wit:

Premises Location: 3636 Duck Avenue, City of Key West, County of Monroe, State of Florida

Premises Description: The structure is a concrete block structure, one (1) story, duplex building, located on the south side of the 3600 block of Duck Avenue. It is the third structure to the west of the intersection of 19th and Duck Avenue. The structure is painted yellow with a tin roof. It has white trimming around the windows and front door. The premises is located on the south-east corner of the structure. There is a brown wooden fence surrounding the structure. The premises has a white door which opens out with a door handle and deadbolt lock located on the right side of the door. There is a white awning located above the front door affixed to the wall.

Property Description: Head covers, firearms, jewelry, clothing, trace evidence.

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.


The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime. And as I am satisfied that there is probable cause to believe that "the premises" is being used as aforesaid and that "the property" above-described, is being concealed and stored at "the premises" above described, I expressly find probable cause for the issuance of this search warrant.

You are hereby commanded to enter and search forthwith "the premises" above-described, and all spaces therein, and the curtilage thereof, and vehicles and/or temporary structures within the curtilage, and all persons found on "the premises" for "the property" above-described, serving this warrant and making the search in the daytime or nighttime, as the exigencies may demand or require, or on Sunday, with the proper and necessary assistance, and if "the property" above-described be found there, to seize it and to arrest all persons in the unlawful possession thereof, leaving a copy of this warrant and a receipt for "the property" taken and prepare a written inventory of the property seized and return this warrant and bring "the property" and all persons arrested before a court having competent jurisdiction of the offense within ten (10) days from the issuance as required by the law.

X Knock and Announce

_____ No Knock

WITNESS my hand and seal this **2nd** day of September, A.D., **2006**



JUDGE in and for MONROE County, Florida



THE CITY OF KEY WEST
Police Department
Post Office Box 1409
Key West, FL 33041-1409

2101

Omar Brown Inmate # 425744
5501 College Rd.
Key West, FL 33040

MAILED

41-23-27



William A. Mauldin
Chief of Police

Non-Emergency
305-309-1111

Chief's Office
305-309-1042

Administration
305-309-1085

Special Services
305-309-1083

Records
305-309-1073

Property-Evidence
305-309-1061

Professional
Standards
305-309-1035

Community Affairs
305-309-1008

Public Information
305-309-1058

Detectives
305-309-1015

Patrol Division
305-309-1013



1604 N. Roosevelt Blvd.
wmauldin@keywestcity.com

Key West Police Department

Respect Integrity Fairness

RE: PS 07-011

23 April 2007

Mr. Brown,

In regards to your complaint against Sgt. Rodriguez, your complaint was reviewed by Lt. Jim Benkoczy of Professional Standards. Based on his review, it was determined the matter is a court issue and not a matter for Internal Affairs.

No further administrative action will be taken on this matter as your complaint is now classified as CLOSED.

If I can be of any further assistance to you in this or other matters, please contact me at your convenience.

Sincerely,

Lisa Caicedo, Inspector
Internal Affairs

CC: File



Key West, Florida 33040
www.keywestcity.com



William A. Mauldin
Chief of Police

MEMORANDUM

Key West Police Department

Respect Integrity Fairness

The Southernmost Police Department

RE: PS 07-011

23 April 2007

Sgt. Rodriguez,

In regards to the complaint against you, the complaint was forwarded to Lt. Benkoczy of Professional Standards, who conducted a review of the incident. Based on his review, it is concluded that the matter is a court issue and not a matter for Internal Affairs.

No further administrative action will be taken on this complaint as the matter is now classified as CLOSED.

If I can be of any further assistance to you, please do not hesitate to contact me at your convenience.

Sincerely,

Lisa Caicedo, Inspector
Internal Affairs

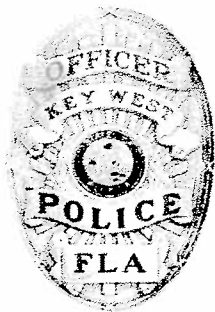
CC: File



301 N. Roosevelt Blvd.



Key West, Florida 32040
www.keywestcity.com



William A. Mauldin
Chief of Police

Non-Emergency
305-809-1111

Chief's Office
305-809-1042

Administration
305-809-1085

Special Services
305-809-1083

Records
305-809-1073

Property-Evidence
305-809-1061

Professional
Standards
305-809-1035

Community Affairs
305-809-1008

Public Information
305-809-1058

Detectives
305-809-1015

Patrol Division
305-809-1013

Key West Police Department

Respect Integrity Fairness

Re: PS07-011

4/3/2007

Brown, Omar R ,

This correspondence is to confirm receipt of your complaint against a member(s) of the Key West Police Department. The Key West Police Department takes complaints of misconduct and inappropriate actions by its members very seriously. It is the responsibility of this office to ensure that such complaints are addressed. An inquiry into your allegation(s) will be conducted and you will be notified of the results.

Please find included with this correspondence, a copy of the Key West Police Department's Explanation of the Complaint and Commendation Process.

If you have any concerns or questions about this process, please do not hesitate to contact me.

Sincerely,

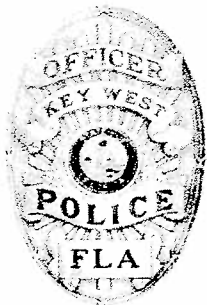
Lisa Caicedo
Inspector Lisa Caicedo
Internal Affairs



1604 N. Roosevelt Blvd.
wmauldin@keywestcity.com



Key West, Florida 33040
www.keywestcity.com



Key West Police Department

Respect Integrity Fairness

The Southernmost Police Department

William A. Mauldin
Chief of Police

Non-Emergency
305-809-1111

Chief's Office
305-809-1042

Administration
305-809-1085

Special Services
305-809-1083

Records
305-809-1073

Property-Evidence
305-809-1061

Professional Standards
305-809-1035

Community Affairs
305-809-1011

Public Information
305-809-1058

Detectives
305-809-1015

Patrol Division
305-809-1013

PROFESSIONAL STANDARDS

Explanation of the Complaint and Commendation Process

The Key West Police Department is committed to public confidence. To that end, the Department establishes high standards of performance and conduct expected of its personnel. To ensure the public trust and maintain the Department's integrity, it is the policy of the Key West Police Department to willingly receive, review and resolve all complaints regarding the conduct of its personnel, department procedures and services. It is equally important that members be recognized for their dedicated service to the public. It is essential that all allegations of police misconduct are promptly, thoroughly and objectively investigated to assure the public that misconduct by police officers will not be tolerated and, at the same time, provide a process whereby officers unjustly accused can be vindicated. The responsibility and authority for oversight of this process within the Key West Police Department is vested within the Bureau of Professional Standards, Office of Internal Affairs.

Q. Who can file a complaint against a member of the Key West Police Department?

A. Any person who has direct standing in the matter, or who has either witnessed or who has direct knowledge of an incident in question.

Q. How do I file a complaint?

A. Complaints will be accepted by the Key West Police Department in person, by telephone, letter or e-mail. Although the Department encourages the complainant to provide his/her name and contact information in the event the Department needs to re-establish contact, anonymous complaints will also be received and processed to the extent possible with the information given. To expedite the handling of your complaint and to provide for more personal attention to the matter, it is preferred that you speak directly to the subject member's immediate supervisor. If that supervisor is unavailable, you should speak directly with the on-duty Watch Supervisor. If your complaint is about the supervisor, you should speak to the next higher level supervisor in his/her chain of command or directly to the Internal Affairs Inspector. Often times complaints are made as a result of a misunderstanding of the law or department procedures. You will be provided a copy of this document, which explains the Department's complaint procedure. If after discussing the matter



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with the supervisor you wish to continue with the process, your complaint will be documented on a Personnel Complaint Form.

If you have not already provided one, you will also be asked to provide a sworn statement either verbally or in writing.

Q. What happens to my complaint?

A. After the necessary paperwork is received, your complaint will be reviewed, and if necessary, assigned to an investigator. It may be necessary for the investigator to speak with you. The investigator's completed report will be reviewed and a conclusion of fact will be made based on preponderance of the evidence.

Q. Will I be notified of the results?

A. Yes. You will receive a letter confirming receipt of your complaint. You will likewise be informed of its disposition.

Q. Will I be allowed to see the completed case?

A. Yes. Under the Florida's Public Records Law, all completed cases become public record and are available for inspection at a time that is mutually convenient to you and the Department. To view any completed case, please make contact with the Internal Affairs Inspector during normal business hours.

Q. What are my responsibilities?

A. The greater responsibility falls upon the Department. You basically have only one responsibility: To **provide only factual and truthful information**; willfully providing information that you know or believe to be false is a crime punishable under law.

Q. How can I compliment a member of your Department for a job well done?

A. Police personnel often times are required to make immediate decisions in the face of very difficult circumstances. The Department welcomes your comments and appreciates knowing that you recognize the service our dedicated men and woman provide to their community. You may send your comments to the Office of the Chief of Police or the Commander of the Bureau of Professional Standards.

Key West Police Department
Bureau of Professional Standards – Office of Internal Affairs
P.O. Box 1409
Key West, FL, 33041-1409



William A. Mauldin
Chief of Police

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Patrol Division
305-809-1013

Key West Police Department

Respect Integrity Fairness

TO: Sergeant Pablo Rodriguez

FROM: Office of Internal Affairs

DATE: 4/3/2007

SUBJ: Notice of Complaint PS07-011

This is to serve as notice that an Inquiry is being conducted into the complaint described in the attached summary. The matter is being assigned to for the purpose of conducting an Inquiry into the circumstances. The assigned investigator is being asked to return the results of that Inquiry to Internal Affairs within 45 days of this notice.

If the matter is regarding a complaint, the purpose for this Inquiry is to gather and assess preliminary information to determine the best course of action for its resolution. This is NOT an Internal Investigation as described in Florida Statutes Chapter 112. The matter may or may not result in an Internal Investigation depending on the results of the Inquiry. You may not discuss material matters of this incident with any individual except the assigned supervisor or Internal Affairs and your attorney or other representative until such time as you are notified that the Inquiry or Investigation is complete, and therefore a matter of public record.

Complaint Section:

Complainant: Brown, Omar R **Initial Assessment:** Personnel Complaint Form
Date Received: 2/27/2007 **Location:** 1604 N. Roosevelt Blvd.
Date Occurred: 9/2/2006 **Time Occurred:**

Involved Member(s):
Rodriguez, Pablo

Classification:
Other No Inquiry

Finding:

Summary:



1604 N. Roosevelt Blvd.
wmauldin@keywestcity.com



Key West, Florida 33040
www.keywestcity.com

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CITIZEN REVIEW BOARD

IN RE:

THE COMPLAINT OF
OMAR BROWN

CASE NO. 07-001

SUBPOENA FOR TESTIMONY


THE STATE OF FLORIDA:

TO: Detective Pablo Rodriguez
c/o City of Key West Police Department
1604 North Roosevelt Blvd.
Key West, FL 33040

YOU ARE COMMANDED to appear before the Citizen Review Board at the Old City Hall, 510 Greene Street, Key West, FL 33040, beginning Monday, April 27, 2009, at 6:30 p.m., to give testimony before the CRB in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on the 10th day of March, 2009.


Bryan Green
Chairman of Citizen Review Board

Robert Cintron, Jr., Esq.
Florida Bar No. 0325031
317 Whitehead Street
Key West, FL 33040
PHONE (305) 296-5676
FACSIMILE (305) 296-4331

NOTICE TO PERSONS WITH DISABILITIES:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Executive Director Stephen Muffler, Citizen Review Board, #3 East Quay Road, Key West, FL 33040, telephone (305) 809-3887; fax: (305) 293-9827 within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call 711.



CITY OF KEY WEST
Citizen Review Board
P.O. Box 1946
Key West, FL 33041
Ph: (305) 809-3887
Fax: (305) 293-9827

February 10, 2009

VIA US MAIL

Sgt. Pabolo Rodriguez
Key West Police Department
1604 North Roosevelt Blvd.
Key West, FL 33040

Complaint File: **CRB #07-001**
Complainant: Omar Brown

Dear Sgt. Rodriguez:

To keep you informed of this matter, please be advised that the CRB has voted to compel your testimony via a subpoena relative to the above referenced file at last night's meeting. A secondary subpoena has also been voted upon by the Board for the records of the Key West Police Department which would substantiate any allegations of a completed internal affairs investigation as suggested by Mr. Axelrad's letter dated February 9, 2009. The Board's attorney is Robert Cintron, located at 317 Whitehead Street, Key West, Florida 33040 (305) 296-5676. I respectfully suggest your legal representative and him interface.

Respectfully submitted,


Stephen C. Muffler, Esquire
Executive Director
Attorney at Law

cc: Jim Scholl, City Manager
Donald Lee, Chief of Police
Shawn Smith, City Attorney
Andrew M. Axelrad, General Counsel PBA
File